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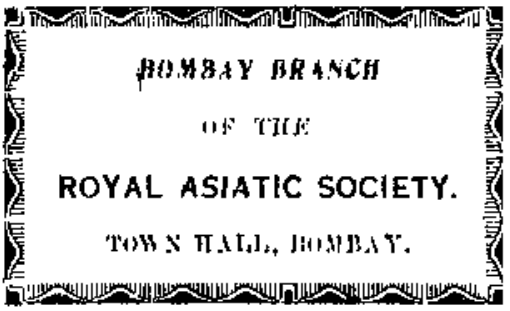


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# IRELAND UNDER BRITISH RULE.

LONDON: PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET AND CHARING CROSS.

# IRELAND

# UNDER BRITISH RULE.

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BY

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AUTHOR OF "THE IONIAN ISLANDS DURING THE PRESENT CENTURY," ETC.

LONDON:

CHAPMAN AND HALL, 193, PICCADILLY.

1868.

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# PREFACE.

HAVING been anxious to make myself acquainted with the more important questions which affect the social condition of Ireland at the present day, I found much difficulty in doing so. Protestant writers presented one view, Roman Catholics another. Englishmen seemed desirous to avoid the consideration of the effect which the misgovernment of bygone ages bears on the present condition of its people; Irishmen appeared to dwell on nothing but the past; and most historians enter so much into the details of the private feuds, which were of daily occurrence, as to render it almost impossible to glean out the more material points. I determined, therefore, to study the subject for myself. The more I investigated, the

greater I found the necessity for so doing; for if on the one hand, much of the detail of Irish history is, to the minds of Englishmen, barren of public interest, and belongs rather to what is termed county history, its main features, influenced as they have been by a struggle of centuries between two races differing in language, customs, and for a considerable period in religion, have, on the other hand, been but too often distorted to party and sectarian purposes.

I have endeavoured, therefore, to confine myself as much as possible to those facts which have more especially affected the character and destiny of the inhabitants of Ireland; and in submitting to the reader the result of my studies, I do so simply from a desire of adding my *mite* towards a clearer appreciation on the part of the people of this country of the causes which have rendered Ireland so dissatisfied under British rule.

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# IRELAND UNDER BRITISH RULE.

## CHAPTER I.

### THE CONQUEST OF IRELAND.

Of Ireland previous to its occupation by the Anglo-Normans, little is known.[1] Iberian settlements appear to have been formed on its south coast at a very early period. In the north, the Scots established themselves much about the same time as other kindred tribes of the great Kymrian nation settled in Britain. History, however, does not record which of these two races, if either, were the aborigines. As they increased in numbers, and spread inland, a sanguinary struggle seems to have arisen between

[1] Those curious to read the details of the fabulous history of Ireland may consult the Annals of the Four Masters, edited by O'Donovan; Keating's History of Ireland, edited by O'Conor; Dissertations on the Hist. of Ireland, by C. O'Conor, Dublin, 1812; O'Flaherty's Ogygia, London, 1685.

them for existence, on a soil which, covered with wood and bog, afforded sustenance to but a few. This cause likewise, when, in the course of ages, Scots and Iberians amalgamated, created perpetual strife between their several tribes. In 82, A.D., an Irish chieftain, having been defeated in one of these conflicts, repaired to Agricola, then in Britain, and endeavoured to induce him to invade Ireland. Agricola was prevented doing so by matters of greater moment, and it is doubtful whether Roman troops ever passed into that country. The climate was said to be cold and gloomy; its inhabitants were reputed savage and inhospitable.[1] But this ruggedness of nature, which deterred the civilized Roman from forming a settlement in Ireland, seems to have had a peculiar attraction for those missionaries of the Gospel[2] who founded the Scottish

[1] Tacit., Agricola, cap. 24, 25; Pomponius Mela, iii. 6; Solinus, cap. 24.

[2] Of the early preachers of the Gospel, history records little; and the Church of Rome has done much to cause all trace of that little to be lost by the bestowal of patron saints. That given to Ireland was St. Patrick, but he does not seem to have been known to Bede. Ledwich, Antiq. of Ireland, dryly denies that the saint ever existed, much to the horror of Lanigan, who has ably taken up his defence, Eccl. Hist., Dublin, 1822. At the best, however, St. Patrick is not stated to have been born before A.D. 387; and long previously the Scottish Church had been recognized as one of the more eminent of the Christian communities. As to Moore's romantic account of this subject, Hist. Ireland, vol. i., see Primitive Christianity in Ireland, by H. J. Monck-Mason, Dublin, 1836.

church; and the schools which they established there became celebrated throughout the western world. Principal amongst these were Hy and Armagh. Students resorted thither from Britain and Gaul; whilst their disciples, travelling on foot, seeking no recompense, frugal in their diet, not asking for lands to endow monasteries, and satisfied with seeing churches built of hewn oak, caused the precepts of Christianity to be held in veneration even by the Franks and the Swevi.[1] Unfortunately this primitive church was accused, in the sixth century, by that of Rome, of two acts of heresy. It would not recognize the calculation for Easter as laid down by Pope Hilarius,[2] neither would it adopt the tonsure. When, therefore, the Roman missionaries landed in Britain in the seventh century, instead of acknowledging and assisting in the labours of their brethren of the Scottish church, they created ill-will and ill-feeling against them. Demanding themselves whole districts in the name of St. Peter and his sword of extermination, they induced the superstitious Saxon to turn his wrath

[1] Bede, Eccl. Hist.; Milman, Hist. Lat. Christianity.

[2] This was the cycle framed by Dionysius Exiguus about 524 A.D., in accordance with the Alexandrian calculations. Lanigan, Eccl. Hist., enters fully on this subject.

against his former teachers.[1] In Britain the monks of Bangor Iscoed were slaughtered; and the Scottish church declined in fame and learning until it received a final blow in the beginning of the ninth century through the destruction of Hy and Armagh by the Northmen.

These ecclesiastical disputes made no impression, however, on the laity of Ireland. They had been pagans, and had become Christians, but they loved war as much as ever. Expeditions into Wales, or the Isles of Scotland, as allies, or for the purpose of carrying off slaves, inroads of the Northmen, and disputes among themselves, gave ample occupation to men who rejoiced to hear the rattle of the warriors' ox-hide cloaks, and the praises of their bards.[2] Besides, from amongst the ablest of the tribe was chosen the Tanist, or successor to the ruling chief, and upon the courage of the latter depended the extent of the territory over which he ruled. Both chieftain and Tanist were supported by lands and

[1] Letters of Pope Vitalian to King Wulfhere, A.D. 657. Saxon Chronicle. Nothing can be clearer than Bede's admission of the animus of Rome against the Scottish church, whose greatest crime was the non-recognition of Roman supremacy.—Eccl. Hist., cap. 34.

[2] Cormacan's Circuit of Ireland; Irish Arch. Soc., vol. i.; The Four Masters, edited by O'Donovan, Dublin, 1848-51; Chronicon Scotorum, Pub. Record, 1866; The War of the Gaedhil with the Gaill, Pub. Record, 1867.

dues set apart for their use out of this territory, and the remainder was divided according to a species of gavelkind, every man in the tribe, legitimate or illegitimate,[1] getting his share. But this uncertainty respecting the tenure of land had a most injurious effect on the Irish. On the one hand, every man was interested in standing by his chief to defend the possession of a district of which he held a portion, or to seize that of his neighbour, of which he was to get a share. On the other, no man cared about improving his allotment when he did not know who his successor might be.[2] Such a state of society was of course inimical to the formation of trading communities. Ireland could not boast of a city until the ninth century, when the Northmen made permanent settlements on various points of the coast. Not that the natives were ignorant of architecture, as is abundantly shown by the curious remains of their watch-towers, which they were taught to raise by their early missionaries.[3] But their wealth consisting of cattle, they preferred

[1] A similar custom existed in Buelt, in Wales.—Calend. Genealogicum Inq., 27 Ed. I., No. 139.

[2] The children of the chiefs appear to have been the greatest sufferers from this custom.—State Papers, Hen. VIII., vol. iii. p. 348.

[3] On this much-disputed point, see Petrie's Eccles. Archit. of Ireland, Dublin, 1845.

dwelling on the mountain side, or near the inland lake, in huts of mud and wattles, which in time of danger they would abandon, and retreat to some fastness in a neighbouring forest. Totally unpractised in the mechanical arts of the period, they could not even manufacture the defensive armour then in use, and their weapons were but darts, long knives, and still longer battle-axes. As to their boats, they were of wicker-work, covered with hides, and up to a late period they never used a saddle. That such a people should not have had much respect for law is to be expected. But the repugnance of the Celtic race to a written code,[1] which was overcome in Britain after an intercourse of some ages with Rome,[2] was never conquered in Ireland. Like the Druids of old, their Brehons, or expounders of the law, surrounded their legal lore with mystery, and only transmitted it, from generation to generation, by doggrel rhymes, which their scholars had to commit to memory. But from what has come down to us, there can be no doubt that the Irish code was barbarous in the extreme, even when compared with the Welsh.

[1] Cæsar's Comm., lib. vi.

[2] Ancient Laws and Institutes of Wales. — Public Record. Com. 1841.

We search in vain for evidence of that justice which was said to aid in confirming the social state, "effectual protection to every person, just punishment where it was due, and mercy blended with justice where it was seen requisite from a just cause."[1] Neither was there that respect for the monarch, nor for property, nor for marriage, loose even as that tie was amongst the Kymbri of Wales. The laws of Howell Dda, though drawn up at the beginning of the tenth century, and representing little more than a compilation of enactments made ages before, still distinctly pointed out the rights of inheritance,[2] of property,[3] and of creditor and debtor.[4] They recognized the obedience due from the church to the crown,[5] and regulated the forms of the courts of justice before which counsel appeared and regular evidence was taken.[6] But in Ireland, chieftains, bards, and bishops were of equal degree, and could be deposed at the will of their septs.[7] The judgments of the Brehons were based, not on any legislation, but on the simple law of nature, that whereas man was bound to give a foot for a foot, an eye for

[1] Laws and Institutes of Wales.—Pub. Rec. Com.
[2] Ibid., pp. 83, 86. [3] Ibid., pp. 38, 68, &c. [4] Ibid., p. 58.
[5] Ibid., p. 9. [6] Ibid., p. 83.
[7] The Senchus Mor.—Irish Rec. Pub., p. 9.

an eye, and a life for a life, it was wiser to pay the injured party, or his tribe, if willing to receive it, in such property as could be most easily transferred, and that property was cattle. It is true that the Eric of the Irish was the *Weregeld* of the old Germanic[1] race, the *Galanas*,[2] or rather the *Saraad* of the Welsh; but every conceivable crime could be redeemed as well as homicide. But then even Eric for murder was excused on entirely religious grounds. St. Patrick, it was said, had proclaimed, "Let every one die who kills a human being," and he had done so because he could forgive the soul of the man who had to suffer, and insure its going to heaven. St. Patrick, however, could not bequeath this power to any one, and the murderer had therefore to be forgiven by the imposition of Eric.[3] As to treachery, it appears to have been rather a commendable virtue than otherwise, and the laws of marriage could be but little respected, the legitimate and the illegitimate not only faring alike, but fosterage forming a stronger tie than any parentage.[4]

[1] Tacitus, de Situ Moribus et Populi Germaniæ, cap. 21.

[2] In the revised Welsh Laws of about 1080, A.D., *Galanas* was not to be accepted for theft.—Welsh Laws, pp. 124, 295.

[3] The Senchus Mor, p. 15.

[4] Some of the more learned Brehons of the middle ages appear to have drawn up written documents, but to insure their remaining the sole depositors of the learning, the text was in the dialect of bygone times,

During the eleventh century the Church of Rome appears to have made some efforts to remedy this condition of things in Ireland. The Danish settlements of Dublin, Waterford, and other seaports, were induced to accept the Archbishop of Canterbury as their metropolitan.[1] This act had naturally considerable effect on the clergy of the sees bordering on these settlements; and in 1140 A.D. we find Malachy O'Morghair, Irish bishop of Down, proceeding to Rome, in hopes of obtaining the pallium for the native bishoprics of Armagh and Cashel. These were promised by Innocent II., but in 1148 Malachy had again to proceed to the Continent to urge the same suit. Falling sick at Clairvaux,

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explained by an interlineal gloss in more modern language. As far back as the middle of last century, the gloss had become as unintelligible as the text, the key having been lost about the time of Charles I. The Senchus Mor, published 1865 by the Irish Record Office, is supposed to be the laws of the Brehons, corrected, according to Scripture, by St. Patrick and the ecclesiastics and chieftains of Ireland about A.D. 441, and said to have been used up to the seventeenth century. It is evidently a monkish production of a much later period, with a fabulous origin, full of unmeaning doggrel verses, and many of the words could not be made out by those most learned in the Irish language. See also O'Reilley, Transac. Roy. Irish Acad., vol. xiv. p. 218. Notes by O'Donovan in his Genealogy of the Hy-Fiacrach and Customs of Hy-Many.—Irish Arch. Soc. Publication of the Ancient Laws of Ireland. —Parl. Rep. 1859.

[1] Excerpt ex veterum epistolarum sylloge Jacobi Ussieri Ardmachan priesulio.—Annales, tom. ii.

Malachy died in the arms of St. Bernard; and that eminent monk, deeply affected by the description of the Irish Church which had been given him by his guest, zealously took up the cause of its regeneration. In consequence of his efforts, Cardinal Paparo was sent to Ireland in 1152, by Pope Eugene III., with power to distribute four palls, and to reorganize its ecclesiastical system. This task he found to be no easy one. The Termon, or sacred lands, the greater portion of which dated from the pagan times, had become the property of Septs, the chiefs of which, under the titles of Corbes and Herenaches, represented the archipresbyter and archdeacons of the early Christian communities. Almost every church had its bishop, and these were frequently mere laity. Armagh had seen fifteen successive bishops from one sept, eight of whom were married, "and not in orders, though men of learning."[1] Such men were naturally drawn into the contests of neighbouring chieftains. Churches were destroyed without compunction, and the very limits of a diocese were dependent on the strength of the sept by which it was inhabited.[2] One of the first

[1] St. Bernard, Vita St. Malachi; Archbishop Usher on the Institution of Corbes and Herenaches; Complete Works, Dublin, 1841, vol. ii.

[2] The Four Masters, edited by O'Donovan.

duties of Paparo was, therefore, to reorganize these ecclesiastical divisions; and in the delivery of the four palls which were bestowed upon Armagh, Dublin, Tuam, and Cashel, originated the four archiepiscopal provinces of Ulster, Leinster, Connaught, and Munster. Numerous petty bishoprics were also united into more important dioceses; and in a synod held at the monastery of Kells, Paparo, after investing the newly-created dignitaries of the Irish Church, submitted the questions of Easter being kept according to the Roman Calendar, celibacy of the clergy, and the payment of tithes. These church reforms were, however, received by the Irish laity with indifference; and Pope Adrian IV. willingly acceded to a request made to him at this period as lord of all *isles* where Christianity existed,[1] by Henry II., King of England, to bestow Ireland on him as a feof of the church on condition of the holy see duly receiving the tribute of Peter's pence, and the ecclesiastical rights being preserved intact.[2]

The acquisition of Ireland was an hereditary policy of the Norman dynasty, based not only on

[1] Histoire Ecclesiastique, par l'Abbé Fleury, tom. xiii. liv. 64; tom xv. liv. 70.

[2] Rymer's Fœdera, A.D. 1154.

the desire to acquire an increase of territory, but also on the necessity of putting an end to the aid which the Welsh always found there, as well as to the piratical attacks of Irish Danes on English traders.[1] Henry II. was, however, prevented by more important events from then undertaking an expedition into Ireland, and might probably have left it for his successors, had it not been forced upon him by one of the endless feuds of the Irish chiefs.

It is narrated by Gerald de Barri, that in 1168 Dermod MacMurrough King of Leinster, having seduced the wife of O'Ruark King of Meath, the latter obtained the assistance of Roderic King of Connaught, induced the men of Leinster to desert their ruler, and forced him to fly the country. Thereupon Dermod repairing to Henry II. then in Aquitaine, swore fealty to him, and in return obtained letters patent addressed to all Henry's subjects, whether English, Norman, or Scotch, requesting them to afford aid and assistance in restoring the exiled king.[2] But de Barri, although a contemporary, and one who twice visited Ireland,

[1] The Anglo-Saxon Chronicle. Chronicon Scotorum.—Pub. Rec. 1866. Thus "Burgenses de Glocestra debent. xxx marcas argenti si "possent recuparare pecuniam suam, per justitiam regis, quæ ablata "fuit eis in Hybernia," 5 Steph. Madox, Hist. Exchcq., vol. i. p. 42.

[2] Girald. Camb. Hib. Expug., cap. i.

wrote his chronicle rather with the view of adding to his fame as a scholar, than of transmitting to posterity a strictly historical account. Amongst the Celtic race the seduction of even a king's wife could be compensated by a fine;[1] and these kingdoms, of which he speaks after the fashion of Irish chroniclers, were but small territories, the chiefs of which ranked, in the code of precedence of the twelfth century, below bishops.[2] Kerry, the county of Cork, and part of Waterford, formed the chieftainry of Desmond, or South Munster. Limerick, Clare, and the northern part of Tipperary constituted Thomond, or North Munster. The lower portion of Tipperary and North Waterford formed the Decies. King's County, and part of Kildare, was Offaly. Queen's County, Leix. Kilkenny, Ossory, Wexford, Carlow, and Wicklow, Leinster. Meath, Westmeath, Longford, and the north of the county of Dublin, the district of Meath. Louth was known as Orgial. Connaught was a wild tract, thinly populated, and covering about the same

[1] Laws of Howell Dda.—Rec. Comm.; Annals of the Four Masters, vol. i. p. 4. The Irish annalists destroy all romance on this subject, asserting that the elopement took place in 1152, at which period the MacMurrough was sixty-two years of age, and the frail wife of O'Ruork forty-four.

[2] See numerous examples in Rymer's Fœdera; Lit. Pat. Turri, Lond., &c., &c.

territory as at present. The county of Down, with part of Antrim, was the Ulster of the early chroniclers; the remainder of the north being a savage and rugged country inhabited by Scottish clans who generally gave their name to the immediate portion of territory they occupied. At least such was the political geography of Ireland at that period.[1] For the limits of these several districts were constantly expanding or contracting according to the energy and warlike propensities of the chiefs of the ruling septs, the most powerful of which would, for the time being, call himself King of all Ireland. It was in consequence of being worsted in one of these disputes that the MacMurrough, chieftain of Leinster, had repaired to Aquitaine, sworn allegiance to Henry II., and obtained the letters patent which he had sought. The Leinster chief at once applied to the citizens of Bristol and to the barons of South Wales. The former, who carried on an extensive traffic with Ireland,[2] declined assisting him. But amongst the latter he found many only too ready to join in the expedition. For more than a century the Normans had

[1] Girald. Camb. Hib. Expug.; Rotuli Lit. Claus.; The Four Masters, edited by O'Donovan.

[2] Girald. Camb. Hib. Expug., cap. 2.

been steadily acquiring the fairest parts of Wales, and at this period formed a powerful community. At Ewyas were the De Lacys, at Eluel were the Mortimers, at Brecknock the De Braoses, at Chepstowe the De Clares, and around them had settled the De Londres and De Tubervilles, De Humphrevilles and Flemings, FitzGeralds, FitzStephens, and De Barris, De Prendergasts, Le Poers, St. Johns, &c.; more than one of whom had had to encounter the Irish as auxiliaries of their Welsh opponents, and now readily seized the opportunity of trying their fortunes in Ireland.

Maurice FitzGerald and Robert FitzStephen, at once agreed to proceed, on condition of getting a grant of the city of Wexford, together with two cantreds of land adjoining; whilst Richard de Clare, so called from his father's lordship of Clare in Suffolk, or Richard FitzGilbert, as he preferred styling himself, Earl of Pembroke and Strigul,[1] held out hopes of his doing so, on obtaining the chief's daughter in marriage. FitzGerald and FitzStephen were men not only especially experienced in border warfare, but possessed an extensive connexion with Welsh as well as Norman. Their mother, Nesta, was daughter of Rhees ap Tudor,

[1] Chepstowe.

who, as well as his forefathers, had been frequently in alliance with the Irish. She had married Gerald de Windsor, Constable of Pembroke, and had borne children to Henry I., and to Stephen, Constable of Cardigan. They found little difficulty, therefore, in assembling a body of adventurers, and Fitz-Stephen embarked in the spring of 1169 A.D., accompanied by Maurice de Prendergast,[1] Hervé de Mont Marrais, nephew of the Earl of Pembroke, thirty knights, sixty men-at-arms, and three hundred archers, and landing at the mouth of the Bannow, was there joined by the MacMurrough. The allies at once marched upon the Danish city of Wexford, which surrendered after successfully resisting an assault, and its inhabitants joined them in making an inroad into Ossory, the chief of which, MacGilly Patrick, was a mortal enemy of the MacMurrough. The people of that district, retreating into their wood and bogs, defied for some time all the efforts of the invaders; but emboldened by this success they unwisely followed the enemy into the open country, and were totally routed. Three hundred of their heads were presented to the MacMurrough as a trophy; and that barbarian, recognizing one of them as belonging to a

[1] The lordship of Prendergast was near Milford in Pembrokeshire.

man he had particularly hated, bit off its nose and lips.

The Irish, alarmed by the reports which spread over the country respecting the prowess of these strangers, gathered in great force, and under the command of Roderic O'Connor, chieftain of Connaught, who arrogated to himself the title of King of Ireland, invaded Leinster. The MacMurrough, unable to oppose this inroad, retired with his allies to a fastness near Ferns, and endeavoured to make peace with his countrymen by promising that he would induce his foreign friends to return to their own land, and by delivering one of his sons as a hostage. But the Normans had not come to Ireland for the mere purpose of reinstating the chief of Leinster. They were desirous of seeing what prospect the country might offer for themselves; and Maurice FitzGerald arriving with reinforcements, the confederates marched on to Dublin, which surrendered without resistance. Here they were not long without discovering how disunited and weak the people of Ireland were.[1] The O'Connor, then reported the most experienced warrior in that country, having invaded the lands of the

[1] Sir William Petty, when carrying out his survey, calculated the Irish, at this time, could not have exceeded 300,000.

O'Brien, chieftain of Thomond, the latter sought the assistance of Robert FitzStephen, who at once compelled the O'Connor to retire to his own territory. The facility with which FitzStephen succeeded in this showed the adventurers that if the Earl of Pembroke would join them there would be no difficulty in conquering the whole island. A messenger was accordingly despatched to that baron, and the accounts he received were of so favourable a nature that he readily assented to their wishes; and having applied to Henry II. for his sanction, sent over, the following spring, Raymond le Gros, a nephew of FitzGerald's, with ten knights and seventy archers. Raymond, landing at Dundonolf, a rock to the east of Waterford, intrenched himself there for the purpose of awaiting the arrival of the earl, and being attacked by the citizens of Waterford and the men of the Decies, repulsed them with great slaughter.

In September following the Earl of Pembroke landed with twelve hundred men, took Waterford by storm, had his marriage with the MacMurrough's daughter solemnized amidst its ruins, and then marched on to Dublin. The chiefs of Meath and Connaught, alarmed for their own safety, induced the Danes of Dublin to rise again, and gathered at Clandalkan; but the invaders, directing their route

through the mountain-pass of Glendalough, reached Dublin unmolested, stormed that city, and then proceeded into Meath. We will not follow them further in a warfare of which little is known beyond a series of ravages and massacres. The Irish, utterly at a loss for the cause of such disasters, demanded of their clergy what great crime they had committed. A formal synod was in consequence held at Armagh; and, in subservience to the papal legate, it was decided that the fearful devastations of these foreigners was but a retribution for the unchristian practice of purchasing and selling English men as slaves; upon which a decree was issued that all English slaves in the country should be set at liberty.[1]

Henry, jealous of the success of the Earl of Pembroke, whose ambition he feared, no sooner heard of these matters than he issued an edict forbidding any vessel sailing to Ireland, and ordered all his English subjects there to leave it on penalty of being declared traitors. The adventurers at once despatched Raymond to France, where Henry then was, to lay before him the advantages he would derive from their continuing where they were until he himself could invade the country. The murder

[1] Gerald. Camb. Hib. Expug., c. 18.

of Becket, which had just occurred, prevented any decided reply being given; but no sooner was the king at leisure than he assembled a powerful force at Milford for the conquest of Ireland. By this time, Pembroke and his companions, deprived of all reinforcements from England, had been reduced to the most narrow straits. The chief of Leinster had died, stricken with years, and most of the septs which had recognized his authority had deserted them. Robert FitzStephen had been treacherously seized by the people of Wexford; and the Earl of Pembroke, after defeating a numerous force of Northmen and Irish who had attempted to surround him in Dublin, had with difficulty made his way to Waterford. There he was met by Hervé de Mont Marrais, who had been sent by the king to order him to appear at Newenham, where he at once proceeded, made his peace by renouncing all his Irish conquests, and was then permitted to accompany Henry across the Channel.

Never had Ireland beheld so powerful and brilliant a force as landed at Waterford on the feast of St. Luke, 1172. Besides four thousand men-at-arms and five hundred knights, there was many a baron more powerful than the boasted King of all Ireland. There was William FitzAndelm, steward

of the royal household and head of the house of De Burgh; Humphrey de Bohun, sewer to the king, who had held out his town of Trobrigge against Stephen; Hugh de Lacy, Lord of Ewyas; Philip de Braose, lord of Brecknock, the most powerful of Anglo-Norman feudatories, and his nephews, Philip of Worcester and William de Braose; Reginald de Courtenay, who claimed of the blood royal of France, and was Lord of Okehampton and Sheriff of Devonshire; Theobald Fitzwalter, brother to Hubert, Archbishop of Canterbury; William de Stoteville, governor of Topclive Castle, in Yorkshire, and of Roxburgh, in Scotland; William de Albini, who possessed ninety-seven knight's fees in Sussex, and forty in Norfolk, &c.[1] The Irish septs, terrified by the accounts they heard of this imposing force, hastened to acknowledge their new sovereign. The Danes of Wexford, in hopes of making their peace, delivered their prisoner, Fitz-Stephen, to him. MacArthy of Desmond met him at Waterford; O'Brien of Thomond at Cashel; MacGillepatrick of Ossory, and O'Feolain of the Decies, followed their example. Henry, detaching a part of his force to occupy Limerick, Cork, Waterford,

[1] Gerald. Camb. Hib. Expug.; Rot. Pat. Canc. Hib. 2 Hen. V. 137; Dugdale's Baronage.

and Wexford, proceeded to Dublin. On his march thither O'Carrol of Orgial, and O'Ruark of Meath, attended his camp. Roderick O'Connor submitted, on the banks of the Shannon, to a detachment commanded by William FitzAndelm and Hugh de Lacy; and when, at Dublin, the English monarch feasted the native chiefs, with all the luxury which the Normans could devise, they flocked in from all quarters. But Henry's stay in his new dominions was of short duration, in consequence of the Pope's legates—who, the year before, had been sent into Normandy to inquire into the death of Becket—having summoned him to that country. Before his departure, however, he took every precaution for the security of his new conquest. A synod was held at Cashel, where it was decided that the Church of Ireland should conform in all things to the order and form of the Church of England;[1] and a council at Lismore,[2] where it was decreed that the laws of England should extend to Ireland. Meath, which then consisted of the present counties of Meath, West Meath, Longford, with parts of Cavan, Kildare, and the King's County, was created a palatinate, and bestowed on Hugh de Lacy, for a

[1] Gerald. Camb. Hib. Expug., lib. i. cc. 33, 34.
[2] Roger de Wendover.

service of fifty knights.[1] The Earl of Pembroke did homage for the palatinate of Leinster, which then extended over Wexford, Kilkenny, Carlow, Kildare, and Leix, for a service of a hundred knights. Humphrey de Bohun, Robert FitzBernard, and Hugh de Gundeville were left at Waterford; William FitzAndelm, Philip de Hastings, and Philip de Worcester, at Wexford. Dublin was bestowed by charter on the citizens of Bristol, and Hugh de Lacy was appointed the king's justicier, or bailiff.

But Henry had not long left Ireland, when the domestic quarrels which broke out in his family obliged the greater portion of his Irish garrisons to recross the Channel. The Irish at once took advantage of the diminished force. The MacArthy seized Cork; the O'Brien defeated a body of Danes in English pay and retook Limerick; whilst Roderick O'Connor expelled the English settlers from Meath. Pembroke, who had also followed Henry to France, but had returned and succeeded Lacy as justicier, left almost alone to stand this storm, sent for assistance to Raymond le Gros, then in Wales. He at once sailed for Waterford, retook Limerick, and compelled Roderick, as King of all Ireland, to send

[1] Pat. Rot. Canc. Hib. 2 Hen. V. 137.

a deputation to Henry II. and pledge himself as his liege man.[1] The papal influence was again brought to bear on the Irish prelates, and Pope Alexander III.[2] renewed the grant made by Adrian. The Irish laity once more recognized the authority of the King of England, and in 1181 A.D., William FitzAdelm de Burgh was sent by Henry "to his faithful archbishops, bishops, kings, earls, "barons, and all his faithful subjects of Ireland, to "negotiate as his agent or envoy."[3]

Had Henry II. been satisfied with the simple annexation of Ireland, the Irish might perhaps have continued cheerfully to recognize his authority, and gradually identified themselves with the English nation. But the persevering manner in which the Norman race colonized wherever it conquered, was one of its peculiar characteristics.[4]

[1] "Quod sic Rex sub eo paratus ad servitium suum sicut homo suus." —Rymer's Fœdera, A.D. 1175.

[2] Gerald. Camb. Hib. Expug., lib. ii. c. 35.

[3] Rymer's Fœdera, A.D. 1181.

[4] As late as 45 Ed. III. we find, "The next day being the 10th June, "the king gave thanks to the Lords and Commons for their great "travels and aids. And in some sort of recompense to all such as "should pass with him against the French, that they should enjoy and "bear all such towns, castles, and possessions, persons, names, arms, and "honours, as they should get or take of the French to them in fee, "except to the king all royalties and the lands of the church; and that "every person of his own conquest and prowess should have charters." —Cotton's Abridgment, revised by W. Prynne, Lond., 1689.

John de Courcy, a baron celebrated for his prowess, was created Earl Palatine of Ulster,[1] and invaded that district accompanied by Armoric de St. Lawrence,[2] and Roger le Poer.[3] South Munster, excepting the city of Cork and the adjoining hundred, was divided between Robert FitzStephen and Miles de Cogan, one of his nephews, who had on more than one occasion displayed great gallantry during the earliest years of the invasion. North Munster, with the exception of the city of Limerick, was bestowed on Philip de Braose. Finally, in 1177, Prince John was endowed with the lordship of the whole island. In the wake of these great barons followed numerous needy swordsmen, some to claim lordships which had been bestowed on them by the king, others taking service under his powerful feudatories. The natives, divided by petty jealousies, which were constantly breaking out into sanguinary disputes, were unable to offer any serious resistance. Here and there some chieftain driven to desperation, yet aware how unfit he was to cope with the Normans

[1] The charter which John gave to Hugo de Lacy the younger shows that de Courcy held his lands on the same terms as Hugo de Lacy held Meath.—Pat. Rot. Turri, Lond. 6 John.

[2] Ancestor of the Earls of Howth.

[3] Ancestor of the De la Poers and Powers, &c. The le Poers settled in Herefordshire shortly after the Conquest, and had originated most probably from Le Poer in Brittany.

in the field, had recourse to stratagem and assassination. Miles de Cogan and Ralf, son of Robert FitzStephen, were thus slain at Lismore, and Prince John, then a child of twelve years of age, landing with a large retinue, having treated with levity the chiefs who came to do him homage, a general insurrection took place. Robert de Barri, another nephew of FitzStephen, who had accompanied him to Ireland in 1169, and been rewarded with the lordship of Olethan, an extensive district in the north-east of the county of Cork, was surprised and slain at Lismore; Roger le Poer was killed in Ossory, of which he had been appointed governor; Hugh de Lacy was assassinated at Durrow, and many others of less note were slain in various parts of the country. But noways daunted by these disasters, adventurers succeeded adventurers. Lordships were eagerly sought after, even in the wilds of Connaught, two-thirds of which were bestowed, in 1204, on William de Burgh. Then in the wake of the laity followed the church and its military orders, on which endowments were as freely bestowed as they had been unscrupulously seized. English citizens flocked to Dublin, Drogheda, Waterford, and Limerick. Wherever there was a commanding position, a fertile plain, or a spot which presented

advantages for trading, there a castle was erected[1] and an English settlement was formed.

But a remarkable feature of this great emigration was the systematic introduction of English law and custom. The royal revenue was derived entirely from feudal rents. The crown, whilst opening a new field for private aggrandisement, was looking forward to its own interest. Consequently the extension of the rights of English law granted to those who settled in Ireland by Henry II. at Lismore, necessitated the creation of a king's court, represented by the justiciary, who, according to custom, acted as viceroy when the king was absent; of a chancery, which supervised the charters granted by the king's great seal, and the writs of the king's court; of an exchequer, to which was attached a treasurer, and barons, who assisted the justicier in collecting a revenue derived from subsidies or fines,

[1] Amongst the more important mentioned by the annalists as having been erected in the time of Henry II. were the royal castles of Dublin, Waterford, Lismore, Tibraghry, and Ardferinan, on the river Suir; of Trim, Durrow, and Kilaire (Kilbaliver ?), belonging to Hugh de Lacy; John de Clahull's, at Leighlin; those of Raymond le Gros and his brother Griffith, at Fethard; Walter de Ridelsford, at Tristle Dermot; John de Hereford's at Collach (Coollok ?); Meyler FitzHenry's at Timahoe, in Leix; Robert FitzRichard's, at Narragh; Robert Bigaret's, at Kilkea; Adam Feipot's, at Skreen; Gilbert Nugent's, at Delvin; and Fleming's, at Slane.—Gerald. Camb. Hib. Expug., c. 23.—The Four Masters.

and all of which were subordinate to those of England.[1] It was not long also before that portion of the island which became more exclusively inhabited by English settlers was divided into counties,[2] which necessitated seneschals, sheriffs, and county courts.[3]

But if fines on presentations to territories, on inheritances, wardships, marriages, &c., were vigorously levied, the law was seldom enforced to administer justice between man and man. The jealousy of the sovereign, and English politics,

[1] Madox, Hist. of the Exchequer. In 17 Hen. III. Ralf, Bishop of Chester, Chancellor of England, was likewise Chancellor of Ireland, and did his duty by deputy.—Rot. Chart., 17 Hen. III. As to the early introduction of the king's courts into Ireland, and the large sums levied there by fines, &c., see Rot. Litt. Claus., vol. i. 6, and 16 John. In 1249, Henry III. directed Simon de Montfort to cause the revenues of Ireland to be appropriated to the repairing of the fortresses in Gascony.—Chron. of Great Britain. Royal Letters of Henry III.

[2] This division is said to have taken place under John, and to have consisted of Dublin, which then included Wicklow, Kildare, Meath then including Westmeath, Louth, Carlow, Kilkenny, Wexford, Waterford, Cork, Kerry, Limerick, and Tipperary. But in a writ appointing John Marshall, Marshal of Ireland, A.D. 1215, we find the island still divided into Munster, Leinster, Desmond, Connaught, Ulster, Kevelyon (Kinel-Owen. Tyrone) *et totam Hiberniam*.—Rot. Turri, Lond., vol. i. p. 155.

[3] Juries appointed to decide whether lands belong to the county of Cork or not.—Rot. Lit. Claus., p. 218, 17 John. A jury of Osmen and English to decide respecting certain rights of the convent of the Holy Trinity at Dublin.—Ib., p. 224. A jury to decide whether certain lands near Dublin belonged to Mailgun, uncle of Lewelin, Prince of North Wales; and if so, that they should go by right to his nephew Lewelin. —Ib., p. 362., &c. &c. &c.

caused a constant change of justiciers, who, whilst in power, thought of little else than acquiring property, a matter in which the crown seldom interfered so long as a revenue was remitted, and the sums raised by the exchequer of Ireland satisfactorily accounted for to the exchequer of England. But this acquiring of property by the justiciers constantly brought them into collision with those whom they had been sent to govern, and the authority of the king's deputy was, in consequence, frequently set at nought by Anglo-Normans, as well as by the natives.

The erection of Leinster, Meath, and Ulster into Palatinates had given rise also to a numerous mesne baronage, who looked to the palatine as their chief, and were bound by his courts.[1] Yet many of these held also of the king *in capite* in other parts of the country;[2] a double allegiance taken advantage of by all parties to advance their own interests, opportunities for which arose but too frequently. In

[1] Thus Richard de Clare had bestowed large *tracts in* Wexford and Kildare upon Nicholas de la Benche, and in Dublin upon Walter de Ridelsford; in Ossory, on Adam de Hereford. Hugh de Lacy had conferred on Gilbert de Angula (Nangle), the territory of Morgallion; on Jocelyn, son of Gilbert de Nangle, Navan and Ardbroccan; on Adam de Feypo, the manor of Skreen, on Gilbert Nugent, Delvin; on Robert Misset, the lands of Lune.

[2] Such as Walter de Ridelsford his lands of Bray, and Gilbert de Angula his in Esker.—Rot. Canc. Hib. Antiq.

1204 de Courcy, Earl of Ulster, having incurred the displeasure of King John, Walter de Lacy, then Palatine of Meath, was readily induced by John to invade Ulster. De Courcy, was deserted by his barons, taken prisoner,[1] and Ulster bestowed on Hugh de Lacy, then justicier, brother of Walter, who was already endowed with six cantreds in Connaught.[2] In 1207, William de Braose, who, at the death of his uncle Philip, had succeeded to the lordship of North Munster, including the city of Limerick, on condition of paying 5,000 marks, also fell under the displeasure of King John. That monarch, on the pretext that the fine was not paid, seized the lands of de Braose in Radnorshire, and forfeited his Irish manors. De Braose at once sought the assistance of Walter de Lacy, who had married his daughter and received as her dowry the

[1] Many fabulous stories are related respecting the subsequent fate of de Courcy. But from the Rot. Lit. Pat. in Turri, Lond., we find hostages were accepted for his bail, amongst whom were Milo, son of John de Courcy the younger; John de Courcy, son of Roger de Chester, &c.; 3 Henry III. we find his widow Affrica obtaining a dower.—Rot. Litt. Claus., p. 400. Giraldus Cambrensis states he left no legitimate heir, and this Milo appears to be the ancestor of the present family of de Courcy, Lord Kingsale. The tradition in their family is, that that manor was bestowed on Miles de Courcy in 1181; but in 1226 it was possessed by Andrew le Blund, who obtained permission to hold a fair there.—Rot. Claus., vol. ii. p. 125.

[2] Rot. Litt. Pat. Turri, London, 6 John, p. 45—60; Rot. Chart., pp. 136—151; Lit. Claus., vol. i. p. 40.

city of Limerick, and he likewise obtained the alliance of William Marshall, Earl of Pembroke, who in addition to that earldom had succeeded to the Palatinate of Leinster on his marriage with the daughter and heiress of Richard de Clare. These barons at once raised the standard of rebellion, and met together in a great council, whereat they annulled a decree which John had lately made respecting the territory of Offaly. The right by which the magnates of Ireland claimed to meet in council in that country had arisen from the lengthened interruption which frequently took place in the communication with England. Henry II. had fully recognized its necessity, and ordered that in the event of the governorship of Ireland falling suddenly vacant, a successor should be chosen by the lords spiritual and temporal of that land.[1] These assemblies did not, however, constitute a parliament. Laws were made by the king in parliament in England,[2] and the proceedings of the grand

[1] Unedit. Irish Statutes, quoted in Ric. III.; 33 Hen. VIII. c. 2. Irish Stat.

[2] Irish lawyers have at various times been fond of controverting this fact, especially Sir Richard Bolton (Harris's Hibernica), and Molyneux, Case of Ireland being bound by Acts of Parliament in England, London, 1698. But the language of the Statutes of England on this head is very decisive.—See 13 Ed. I., vol. i. p. 71; 12 Ed. II., p. 179; 5 Ed. III., p. 269. Statutes of the Realm Rec. Comm. The influence

council of Ireland were restricted to voting supplies to assist the justicier in his expeditions against the natives, or in settling some point in dispute amongst themselves. This innovation, therefore, of the barons of Meath and Leinster was speedily checked. "We "wonder much," wrote King John to them on receiving intelligence of their proceedings, "at the "information you have sent to us by your letters "patent, from which it seems you are preparing "without our orders, to create a new statute in our "land, a thing unheard of in the time of our "ancestors, and in our own; namely, to appoint a "new statute in any land without the consent of the "prince of that land,[1] and further, with reference to

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of the greater Anglo-Irish barons, who were all extensive landholders in England, and were summoned to the councils of that realm, enabled them to take care that the interests of their order in Ireland were duly looked after. Thus, "the king to Meyler FitzHenry, Justicier of "Ireland, &c., and to all his other barons and faithful of Ireland, "know that by wish and advice of our beloved and trusty W. Earl "Marshal, and Walter de Lacy, and other of our barons of Ireland, "who were with us in England, and by advice of our faithful Council "of England, we desire and we statute," &c.—Rot. Lit. Pat., A.D. 1208. Consequently, when John was forced to sign the great charter of liberties, they forwarded a copy to Ireland, and this act was ratified on the accession of Henry III. by the Council of England.—Prynne's Antiq. Constitutiones; Rymer's Fœdera.

[1] Rot. Lit. Pat., A.D. 1307. The barons were Walter de Lacy, Hugh de Lacy, Robert de Lacy, William Petit, Richard de Tuit, Adam de Hereford, Philip de Prendergast, William Fitzgerald Baron de Naas, John de Clahull, Maurice de Loudres, Thomas de Hereford, &c., &c.

" the assurance you make us that you will not be " wanting to your lord in seeking out his right, " know, that with God's assistance, in proper place, " and in due season, we will attain our right." He was unable, however, at that time to take any steps to put his menaces into effect, owing to the more important quarrel which he was then waging with the Pope. But in 1210 he proceeded into Ireland with a considerable force. De Braose and the Lacys had to take refuge in France, from whence the latter were only allowed to return in 1215, when their inheritance was restored to them on payment of heavy fines; whilst the lordship of Limerick was divided into numerous feofs.[1]

Again, in 1233 Richard Marshall, then Earl of Pembroke, having joined the disaffected party in England, Henry III. promised the palatinate of Leinster to such of his Irish barons as could dispossess the earl of it. Walter de Lacy, Maurice

[1] Histoire des Ducs de Normandie, Société de l'Histoire de France, P. III.; Rot. Chart. Turri, London, 2 John, p. 84. John published his view of the dispute with De Braose in 1212. Rymer's Fœdera. Tradition asserts that the whole family of De Braose perished in the castle of Bristol. But this is an error. One of his sons, Reginald, was reinstated in his father's English property, and possessed considerable power under Henry III. His son and heir, William, married Eva, daughter and coheir of William Marshall, by whom he got Leix as a dowry.

FitzGerald, Lord of Offaly,[1] and then justicier, Richard de Burgh, Lord of Connaught, and many others, attracted by the prize offered, willingly seized on the various castles appertaining to the earl. That nobleman at once proceeded to Ireland, and a sanguinary warfare ensued, which was only ended by the murder of the Earl of Pembroke, who was entrapped into a conference with his enemies at the Curragh of Kildare. This act created such a sensation that Henry III. was forced to allow Gilbert Marshall to succeed to his brother's inheritance, and those who had so eagerly sought its partition were thankful to be allowed to preserve their own.[2] These are, however, but examples of the more prominent quarrels of the Anglo-Irish; for, besides these wars instigated by the Crown, constant feuds arose from disputed boundaries. These feofs, which were so plainly stated on parchment, were by no means so easy to define on the spot.[3] John,

[1] Grandson to the Maurice FitzGerald who had gone to Ireland with the MacMurrough in 1169.

[2] Richard de Wendover.

[3] In 1201, Fulke de Canteloupe farmed out his grant of land in the province of Cork to Meiler FitzHenry for two marks of silver yearly if there were three carucates, and twenty sols if it were less.—Rot. Chart. Turri, London, 2 John. In 1206 the justicier was ordered to inquire as to whether large tracts named belonged to Cork or Limerick. —Rot. Lit. Pat. Turri, London, 7 John.

previous to leaving Ireland in 1210, held a great council at Carrickfergus, where he attempted to settle the limits of some of these boundaries; amongst others, of the lands in Connaught he had given to Thomas de Galway, Earl of Athol, and his brother Alan, Constable of Scotland; but John had to deal with men who loved warfare for its own sake, and who, if they were jealous of one another, were still more so of the interference of the Crown in such matters. To enter into the details of such feuds would be useless.[1] They arose from no other cause than an impossibility to remain at peace, and no principle was involved in their issue. As to the wars between the settlers and the natives, or amongst the natives themselves, the very perusal of them, as detailed by their annalists, is most wearisome. They were of daily occurrence, and appear to have been the sole occupation of the Irish.[2] That race, whose habits and feelings were so dia-

[1] In 1221, a feud of considerable severity broke out between the Earl of Ulster and the Palatine of Leinster. The former had married the daughter and heiress of Walter de Ridelsford, and her dowry lay principally in Leinster. In 1225, Walter de Lacy had to pay a fine of 3000 marcs on account of his share in the transaction. Robert Talbot had his lands in Ulster forfeited, compensation was made to the Bishop of Down, the city of Dublin, &c.—Grace's Annals, A.D. 1221; Annals of the Four Masters; ibid., Rot. Lit. Claus., vol. ii. p. 1225.

[2] Annals of the Four Masters, edited by O'Donovan.

metrically opposed to feudal customs, had not been slow in perceiving the weakness of the royal authority in Ireland. Some at first had agreed to hold their lands by tenure. For instance, Dermod, son of Gillerholme, was to hold the lands held by his father in Lymerhim, with fifteen carucates in the valley of Dublin and a house in the city of Dublin, for the service of one knight, and two skins of otter yearly in exchange for the cantreds which John, when Earl of Moreton, had given to him and his brother Roderic in Limerick.[1] In 1205 Cathal O'Connor, chief of the Irish of Connaught, contrary to native custom, gave up his rights to two-thirds of Connaught to William de Burgh, on condition that he should hold the third part in inheritance as baron.[2] Donald Uffeld, near Dungarvon, holding three cantreds of the king, gave up one that he might keep two during his lifetime, and one hereditary.[3] But to the mass of the natives feudal tenure was perfectly unintelligible,[4] and they

[1] Rot. Chart. Turri, London, p. 173.

[2] Rot. Lit. Claus., p. 662.

[3] Ibid.

[4] Thus, for instance, "John, son of the King of England and Lord "of Ireland, concedes and confirms to Robert de St. Michaele the "whole territory of Dangen which is a carucate of land; of Balli-"magillehone, in which there are two carucates; and of Trunedor, in "which there are two carucates; and of Baligarmed, which is one

would not recognize the right of their chiefs to dispose of lands which they only held in trust during their tenure of office,[1] much less would they acknowledge that an illegitimate son, who had proved himself capable of leading his father's clan to battle, should be deprived of his claims to the chieftainship,

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" carucate; and of Dunbroe, which is one carucate; and of Closchyneflyn, " in which there are two carucates; and of Dalgir, which is one caru- " cate: which lands he had by gift from Henry the king. And besides, " he gave to him by his gift the land of Tadhoyl, in which there are " two carucates; and the land of Tachren and Rodgannon, in which " there are two carucates; and in the land of Balo two carucates. These " had belonged to Thomas de St. Michaele, his brother, to be possessed " and held by the forementioned Robert and his heirs, of the king, by " service of a knight and a half rendered to the king at Dublin. All " the aforementioned lands, with their belongings in wood and in clear- " ing, in produce and in pasture, in churches and chapels, in water and " windmills, in ponds and stews and fishmarkets, in roads, paths, and all " other matters, with socage* and sacha† and toll‡ and them§ and in- " fangthef,‖ and justice by water, and by iron, and by duel, fossa¶ and " furca;** retaining as rights of the king the *presentation* to bishoprics " and abbotships, suits and complaints which belong to the crown. " T. John de Curcy and others at Soforges." — Can. Rot. Pat. Hib. Antiq.

[1] This question is ably argued in a paper styled, Questions to be considered against Shane O'Neile.—Carew MSS., vol. i. p. 304.

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* Liberty of letting to tenants.
† Deciding causes amongst the same.
‡ Freedom from toll.
§ Power over bondmen and their chattels.
‖ The punishment of thieves taken within the manor.
¶ Ditch wherein female felons were drowned.
** Punishment of felons by hanging.

and its appertaining lands, perhaps for a woman who might transfer them[1] to another tribe. These points of legitimacy[2] and inheritance alone explain why the natives so pertinaciously declined the adoption of the English code, and why they so frequently refused to recognize the King of England as their liege lord. Some writers, losing sight of these facts, have affirmed that the English settlers purposely denied to the natives the advantages of English law, and that even if an Irishman were murdered by an Englishman, the latter would not be amenable for it. This is incorrect. In fact, such a policy was opposed to the Anglo-Norman legislature of the thirteenth century.[3] The barons who compelled King John to sign the Magna Charta, amongst whom were William Marshall, Palatine of Leinster, and De Londres, Archbishop of Dublin, had a clause specially inserted for the protection of the Welsh law within the Welsh territory, where William Marshall and many of the Anglo-

[1] A curious example of this feeling amongst the Scottish race was exhibited in 1235 in the neighbouring county of Galloway, when the inhabitants of that district took as leader the illegitimate son of their late Lord Alan sooner than see the country divided amongst his three legitimate daughters.—Mat. Paris, Chron.

[2] Statutes of the Realm, 20 Hen. III. To the king's writ of bastardy.

[3] See Beaumanoir's Coutumes de Beauvoisis, ch. xxiv.

Irish had extensive lands.[1] We find, from authentic documents, that at a very early period up to 28 Ed. III.,[2] five of the principal clans in Ireland, viz., the MacLaughlins of Meath, the O'Neils of Ulster, the O'Connors of Connaught, the O'Briens of Thomond, and the Kavanaghs of Leinster, exercised the privilege of English laws whenever it suited them. The Chancery rolls afford also numerous instances of individuals on whom the right was conferred.[3] In fact, it was the interest of the kings of England to conciliate the Irish if possible; and so far from refusing them the advantages of English law, they were frequently obliged to recognize the Brehon law.[4] But in the middle ages, by the inter-

[1] "If we have disseised or dispossessed the Welsh of any lands, "liberties, or other things, without the legal judgement of their peers, "either in England or in Wales, they shall be immediately restored to "them; and if any dispute arise upon this head, the matter shall be "determined in the Marche by the *judgement* of their peers; for tene-"*ments* in England, according to the law of England, for tenements in "Wales according the law of Wales, for tenements of the Marches "according to the law of the Marche. The same shall the Welsh do to "us and our subjects."—*Magna* Charta, ch. 56.

[2] Davies, Historical Tracts.

[3] Pat. Rot. Canc. Hib.

[4] In the grant of the honour of Limerick to William de Braose, the Irish and those that are with them, were exempted from his jurisdiction.—Rot. Chart. Turri, London, p. 84. In 1222 it was enacted that the divisions of land in territories inhabited by Irishmen should be made according to Irish custom.—Rot. Lit. Claus., vol. i. p. 553. With reference to this statute, in 1300 the inhabitants of the county of Dublin, complaining that it was to their prejudice that pleas should be held

national law of Europe, an enemy to the king might be slain wherever found;[1] and if the Irish now and then obeyed the summons to join the king's forces in his foreign wars,[2] they were generally in arms against the king's deputies, glorying in the name of Irish enemies; and the justice due to a king's enemy was dealt out to them.

Yet amidst all this warfare we find growing up a strange admixture of the mercantile element. Irish feofs, if extensive, produced little beside cattle and grain. Hides and corn had to be exchanged for arms and armour, for bay salt and Gascony wines. The convoying of such goods by water, or through the interior, was a dangerous undertaking, and to be a successful trader frequently necessitated being a bold baron. Consequently lords of manors vied with each other in endeavouring to increase their revenues by licenses to hold fairs, or erect mills.[3]

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according to the laws and customs of England, and praying for due remedy, it was ordered that the justices in eyre should alter nothing, but hold their pleas concerning land according to the laws and customs of Ireland.—Rot. Canc. Hib. 3 & 4 Ed. II. In 1320, the privileges of English law were extended to all Irish who would accept of them.

[1] Wheaton, Elem. of International Law, Part iv., Vatel, b. iii. c. 8.

[2] Liber Muneruin Publ. Hiberniæ, Part II. p. 35, Pars. ii. pp. 5 and 6.

[3] Fairs to be held at Waterford, Limerick, and Donnybrook.—6 John. Rot. Lit. Claus., vol. i. The same year, Walter de Lacy obtains grant of three fairs yearly of eight days, each at Lough Sewdy, Kells, and Trim.—Rot. Chart. Turri, Lond., p. 136. The same gets leave to

Ireland thus presented not only a field for warfare, but also one for commerce;[1] and therefore, as the ranks of the settlers were thinned through feuds amongst themselves, or wars with the natives, they were rapidly recruited by adventurers from all parts of the English dominions. To follow up this emigration throughout the thirteenth century is difficult, for the destruction of the records in Ireland by fire in 1309 has done much to obliterate all traces of authentic information. But from the summons issued by Edward I. in 1302, requiring the aid of his barons of Ireland for an expedition into Scotland, we find them presenting a formidable array. The palatinate of Leinster had been partitioned amongst a number of noble English families, through the marriage of the five coheiresses of William Marshall with the houses of De Braose, Ferrers, De Clare Earl of Gloucester, Bigod Earl of Norfolk, and Warine de Muntchense.[2] The palatinate of Meath

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erect a mill at Drogheda, "so long as it is hurtful to no one."—Rot Lit. Pat. Turri, Lond., 10 John, p. 84. Nicolas le Petit a fair at Mullingar, also at Dum Bryny, A.D. 1226.—Rot. Claus., vol. ii. p. 123. Nicolas de Verdun, ditto at Clonmore.—Ibid., p. 124. Andrew le Blund, ditto at his manor of Kinsale.—Ibid., p. 125, &c.

[1] A.D. 1273. The King to Godfrey de Geneville, justicier: "That "merchants should go to Ireland in safety, and freely exercise their "trade, according to ancient custom."—Rymer's Fœdera.

[2] See Appendix A.

had been divided between the Verdons and the Genevilles by marriage with the granddaughters and coheiresses of Walter de Lacy.[1] In the county of Cork were Barrys, Cogans, Keatings, Carews, and De Courcys. In Waterford the Poers, chief of whom was Poer of Donoisle, the De Cauntetons. In Kilkenny the Purcells, De la Freynes, and Utlaws. In Tipperary the Butlers, descended from Theobald FitzWalter, whose son had been created chief Botillier of Ireland. In Connaught were the De Burghs, the head of whose house had, by marriage with the daughter of Hugh de Lacy, Earl of Ulster, added that earldom to his own large inheritance; the Jordan D'Exeters, the Birminghams of Athenry, the Joyces, the Barretts. In Offaly was one powerful branch of the Fitzgeralds; in Desmond another. In Dublin the Talbots and St. Lawrences. In Meath and Louth were Nugents, Gernons, Cusacks, Tyrrels, Tuites, Flemings, Taaffes, and a younger yet still wealthy branch of the Lacys, &c. Then scattered over the country were many noble names which England had almost lost sight of since the civil wars of Henry III.; the Mandevilles and Bonnevilles; Cricketots and the Le Blunds or Whites; the Bekets, the Mau-

[1] See Appendix B.

travers, and Mauveysens; the Roches and Rochfords, &c.[1] These families, or rather clans, completely established themselves in Ireland; and their history, together with that of the more influential Irish septs, which will be traced in the following pages, forms that of Ireland for some centuries.

[1] Rot. Pat. and Claus. Canc. Hib.; Fœdera, vol. i. fol. 938.

## CHAPTER II.

### THE ANGLO-IRISH.

The difficulty of intercourse which existed at this period throughout even the more civilized portions of Europe tended forcibly towards subdividing nationalities. The extent of a community depended not on originality of race, nor on similarity of language, but on the amount of local interest which bound its inhabitants together. We consequently find the Normans in England identifying themselves with the Saxons, becoming burgesses, and frequently taking arms to defend the privileges of that people. The descendants of the Anglo-Normans who had settled in Scotland had become Scots, and were fighting zealously in defence of Scottish rights, and at the head of Scottish clans. The Anglo-Norman settlers in Ireland were no exception to this rule. If they were steadily acquiring the more fertile

portions of that island, they were likewise intermarrying with the natives,[1] and interfering in their quarrels. Nursed by native women, and surrounded by native tribes, they forgot to speak their Norman French, and became accustomed to the Irish *titles* of distinction. The De Burghs became MacWilliams; the Birminghams of Athenry, MacFeoris's; the Jordan d'Exeters, MacJordans; the Nangles, MacCostellos; one branch of the FitzGeralds, MacMorices; another, MacGibbons, &c. This natural result, however, gave serious offence to the English deputies and officials. Seldom leaving the boundaries of the king's castles, and ignorant of the many causes which rendered it impossible to retain the use of the Norman French, or the apparel of the Norman courtier, they represented to the Council of England that the Anglo-Irish were more degenerate than the natives;

[1] It was not for some time after the Conquest that the English settlers were forbidden to intermarry with the natives. Besides Richard de Clare, who married the daughter of the MacMurrough, Hugh de Lacy had married, as second wife, a daughter of Roderic O'Connor; Robert de Gernon, a daughter of Cathal Crordery O'Connor. Irish women by intermarriage obtained all the rights of English law. Thus the king concedes to Marieta, daughter of Macirecaho, Irishman, "that she and "her heirs may use the English law because she is married to Ralf "Burgess, Englishman, who has settled in Ireland." Similar permission given to Roesia, daughter of MacMolisii, Irishman, because she is married to Peter de Repenteney, Englishman.—Pat. Rot. Canc. Hib., 13 Ed. I.

while the descendants of the old settlers, piqued at the airs which men who were only connected with Ireland by office, or by marriage, gave themselves, and who, on the least pretext, obtained decrees of forfeiture against them, in order to divide the spoils, called the unwelcome intruders "hobbes," or churls, which the latter returned by terming them "dogs."[1]

Under the feeble rule of Edward II. this ill-feeling, encouraged by the Lancastrian faction in England, broke out into open rebellion. In 1310 we find the De Cauntetons, the Poers, and the Purcells in arms.[2] The Government, in hopes of checking this outbreak, replaced most of the sheriffs throughout the country, on various pleas,[3] and summoned a parliament at Kilkenny. The records of that assembly curiously illustrate the condition of the country at that time. Writs having been issued to most of the magnates, the sheriffs were likewise directed to send from each shire two knights, and from each borough or city two burgesses or citizens,[4]

[1] Ware's Antiquities of Ireland; Leland's Hist. of Ireland; Statutes of Kilkenny, Irish Arch. Soc., edited by Hardman, 1843.

[2] Rot. Canc. Hib., 3 & 4 Ed. II.

[3] Rot. Canc. Hib., 3 Ed. II.

[4] As to when Irish boroughs first took part in these proceedings we possess no record, but it must have been at a much earlier period than is generally recognized. Owing to the wildness of the country districts, most of the magnates who first settled in Ireland found it necessary to

intrusted with full power on the part of those counties and cities to discuss and sanction certain ordinances to be submitted by the justicier and privy council. Parliament having assembled, the king's speech was read in French. It stated that the reason why it had been summoned was because of the unheard-of scarcity of provisions, and recommended that a committee of two prelates, and two other prudent men should be appointed, which should further select from amongst themselves, and the assembly, sixteen of those most capable of suggesting a remedy for this state of things. The assembly accordingly named the Bishops of Ossory and Lismore, John de Barry, and Eustace le Poer; and these chose the Bishop of Leighlin, the Earl of Ulster, the Prior of St. John's of Jerusalem, Maurice de Rocheford, Jordan de Exeter, Fulke de la Freyne, John de Druyl, Walter Wogan, William de Roche, Hugh Cannon, and David le Blund. These being sworn, and

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obtain the grant of burgess right as well as manorial, and thereby added greatly to the importance of the borough in which they dwelt. We also find, as early as 1204, the king, when requiring aid or scutage, demanding it of each citizen, merchant, and burgess, as well as of the earl and of the knight.—Appen. to Gale's Corporate System, Ireland, 1834. [1] Rot. Chart. Turri, Lond., 1 John, pp. 19, 20, 28. 5 John, p. 134.

having deliberated, submitted by consent of the justicier and council of the king, 1. That this dearth of provisions, arising chiefly from the devastations committed by persons of noble blood, each magnate should take on himself the punishment of his own followers. 2. That six good men in every county should be appointed to assist the sheriffs and coroners, and diligently to seek for and punish such malefactors. 3. That the statutes concerning money,[1] forestalling,[2] and the having arms for preserving the peace,[3] should be proclaimed and faithfully kept. 4. That those respecting the taking of prizes,[4] should be observed. Nothing could show plainer the weakness of the crown than the recognition that each baron should punish his own followers, whilst the laws ordered to be kept were those which affected only the trading community and the justicier. But such enactments naturally

[1] The introduction or usage of false or light foreign coin.—12 & 27 Ed. I. Statutes of the Realm.

[2] The forestalling or buying up of goods previous to their arrival in the markets, and reselling them at higher prices than the original merchants would have done. The first mention of forestalling in the Statutes of the Realm is in the judicium pillorce, 51 Hen. III. and "de pistoribus," stated as 51 Hen. III., but it was much older by usage.

[3] Statutes Wynton, 13 Ed. I. c. 6.

[4] The exaction from the merchants' goods with respect to the payment of the royal revenue in kind, to which the king was entitled.—Confirmatio Cartarium, 25 Ed. I.

did more harm than good. The barons did not punish their followers, and despising the pusillanimity of their sovereign, watched with interest the struggle then going on in Scotland. That war had from its commencement attracted more than usual interest in Ireland, for the Scoto-Irish septs of Ulster were amongst the most powerful in the island. In Tyr-Connel, the present county of Donegal, ruled the O'Donels, whose sway was recognized by the O'Doghertys, the O'Boyles, and MacSweenys. In Tyr-oen was the powerful tribe of O'Neil of the Clan Connel, and in Claneboy the O'Neils of Tre-ugh-O'Neil. To the north-west of Lough Neagh were the O'Kanes, and to the east of it the O'Flynns of Hy Tuirtre. Near Lough Erne were the MacGuires; in Breffny, the O'Rourks and O'Reillys, and to the south of that district the O'Farrels. In Irish Orgial, between Lough Neagh and Lough Erne, were the MacMahons. In Oithir, now Orior, a district of Armagh, were the O'Hanlons.[1] The wild districts which they inhabited offered no inducement to the Norman, and these septs had consequently not only maintained their independence, but increasing in numbers and

[1] Liber Munerum Publ. Hib., Pars. iv. The Four Masters, edited by O'Donovan.

strength, cared but little for the King of England, whose authority in that part of the country scarcely extended beyond the castles of Carrickfergus and Dundalk. The Anglo-Irish, whose feofs bordered on the lands of these Ulster tribes, were at that time not much more loyal. Chief amongst them was Richard de Burgh, Earl of Ulster. That powerful baron had inherited Connaught and Roscommon from his father, and Ulster from his mother. One of his daughters was married to Robert Bruce; another to Thomas FitzJohn Fitzgerald, Lord of Offaly; a third, to John de Birmingham; a fourth, to Maurice FitzThomas Fitzgerald of Desmond; a *fifth* to the Earl of Gloucester. For many a long year the Earl of Ulster had maintained the English supremacy in the north, against repeated outbreaks of the O'Connors and O'Neils. Three times had he proceeded to Scotland, at the head of the Anglo-Irish barons, to serve under the banner of Edward I. Indeed, in spite of his connection with Robert Bruce, his fidelity to the crown had never been suspected up to the time when Edward II. succeeded to the throne of England; but in 1308 Pierce Gaveston, forced to leave England, having proceeded to Ireland as justicier, the Earl of Ulster

held an almost royal court at the castle of Trim, which was attended by all those disaffected to the Government. In 1314, Edward II., unable to perceive this animosity which was growing up in Ireland, called on the principal chiefs and barons to assist him in an expedition into Scotland, and appointed the Earl of Ulster to command them. But neither chiefs nor barons obeyed the royal mandate, and in May 1315, when Edward Bruce landed in Ulster with six thousand men, he was at once joined by the native septs of that district.[1] The royal fortresses of Dundalk and Carrickfergus made but little resistance, and the Earl of Ulster, after a slight attempt to stay the further progress of the invaders on the banks of the Bann, retired into Connaught. Edmund le Botillier, then deputy, assembled such a force as he could get together, and marched to meet the Scot. But as he approached the enemy, the Lacys,[2] the Le Whites,[3] Walter de Estelip, John de Kermerden, Walter de Seye, and other barons, deserted him in a

[1] Grace's Annals of Ireland; Rymer's Fœdera; Lodge's Peerage, vol. i.

[2] Supposed to be descended from Robert, third son of the first Hugh de Lacy.

[3] This family, about this time, changed its name to Le White from Le Blund. They were descended from the Le Blunds of Essex and Suffolk.

body.[1] This rendered him so perfectly powerless that he also had to retire, and Edward Bruce proceeded almost with impunity through Meath into Kildare.

Had the Irish nation, in imitation of the Scottish, been capable of co-operating with their Norman feudatories, they would most probably have effectually overthrown the power of the English government. But a most remarkable trait in the character of the Irish has been the manner in which they have at various times identified themselves with the Anglo-Irish, intermarried with them, sought their assistance in feuds, and willingly served under them; and yet, when they fancied the opportunity favourable, suddenly turned round, anxious to revenge themselves for old, but carefully-remembered wrongs. In the present instance, the Ulster tribes, supposing that the success of Edward Bruce resulted from the weakness of the Anglo-Irish, joined

[1] "Les ennemis d'Ecosse," writes the Privy Council of England to the few Anglo-Irish barons who had remained faithful, "eient attrete "devers eux tous les ireys d'Irlande, et grande partie des graunty "seigneurs.—Lib. Munerum Publ. Hib., Pars. iv. p. 6. This epistle is addressed to John FitzThomas, Lord of Offaly, his son, Thomas FitzJohn, Maurice FitzThomas of Desmond, John le Poer, baron of Donnoyl, Arnold le Poer, Maurice de Rochefort, David and Miles de la Roche, and Richard de Clare. See also Grace's Annals.—Irish Arch. Soc., Rot. Canc. Hib. 2 Ed. II.

the O'Connors, O'Kellys, and other natives of Connaught and Roscommon, and rose against them. The castle of Athleathen (now Ballylahen, county Mayo), the stronghold of the Jordans d'Exeter was taken by surprise, and its defenders, amongst whom were Stephen d'Exeter, Miles Cogan, William de Prendergast, and John de Staunton, were put to death. They then directed their attacks against Athenry. But its lord, Richard de Birmingham, joined by William de Burgh, totally routed them.[1] This outbreak considerably altered the feelings of the Anglo-Irish towards the Scots, and many of those who had deserted the deputy, received the thanks of the crown for their services the following year.[2] Marks of favour were likewise liberally bestowed on such as had remained loyal. Edmund le Botillier was created Earl of Carrick; John Fitz-Thomas Fitzgerald, Earl of Kildare; and Peter de Birmingham, Baron of Athenry. All this time, however, Edward Bruce was still master of a large portion of the country, and it had become absolutely necessary for the Government to take decisive measures to bring this contest to an issue. With this view, a parliament was summoned at Dublin,

[1] Annals of the Four Masters; Grace's Annals.

[2] Rymer's Fœdera, A.D. 1217.

and Roger de Mortimer was appointed justicier. But the first act the new governor was called upon to perform was to obtain the release of the Earl of Ulster, who, suspected of favouring the Scots, had been seized by the citizens of Dublin, and kept prisoner as security against a threatened attack from Edward Bruce. Unfortunately, Mortimer was not so conciliatory with others whose allegiance had also been suspected. The De Lacys, and John Le White, of Rathregan, were summoned to meet him at Trim, and on their not complying he ravaged their lands. They at once joined the Scots with their kinsmen. Wadin White, brother-in-law to Hugh Canon, justice of the King's Bench, acted as their guide from Dublin through Naas to Callan, and Edward Bruce continued to plunder the country until October 1318, when he was killed in an action fought near Dundalk. John de Birmingham, who commanded the royal troops on that occasion, was created Earl of Louth.[1]

[1] Annals of Ireland, 10 Ed. II.; Liber Mun. Pub., Hib., Pars. iv. p. 27; Grace's Annals, Irish Arch. Soc.; Barbour's Bruce. There appears to have been still considerable connection between the discontented Irish barons and the Lancastrian faction in England. In Parl. Writs, 16 Ed. II. pp. 204, 210, we find Fulke de la Freyne and Philip le White, both of Ireland, discharged from imprisonment as adherents of the Earl

There appears to be little doubt that Roger de Mortimer had no intention of inducing the De Lacys and their friends to return to their allegiance. He had inherited, through the Geneville family, the Castle of Trim and its palatinate jurisdiction, which extended over the greater portion of what is now the county of Meath, and he was jealous of the influence in that part of the country of the De Lacys. The discontent created by these attempts of men in office to drive the Anglo-Irish into rebellion, so as to obtain the forfeiture of their lands, forced itself at last on the notice of the Privy Council of England. In 17 Ed. II. it was ordered that neither the justicier, nor any other minister of the king in Ireland, should acquire any lands or tenements within the boundaries of the king's bailiwicks, without special licence of the king, and that any one so disobeying should forfeit what he had so acquired.[1] But the crown had not the power to enforce such a law on even their own officials. To exemplify the lawlessness then existing,

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of Lancaster. Their manucaptors were William Outlaw, Arnold le Poer, John and William de Wellesly, William Calf, and Matthew de Milbourne. It is remarkable, also, that very few Anglo-Irish barons were in company of John de Birmingham, and none of any note.

[1] Ordinatio de statu terræ Hiberniæ, Fœdera, A.D. 1323.

we will take a date of ten years subsequent to the battle of Dundalk, because at the beginning of that year a parliament was assembled in Dublin to effect a reconciliation between William de Burgh, then Earl of Ulster, and his uncle Maurice Fitz-Thomas Fitzgerald, of Desmond. Peace between the principal families of the north and the south seems to have had an opposite effect on the smaller barons. The Roches and the Barrys slew James Keating with many of his race. Gilbert and Raymond de Valle were killed by the Poers. John de Birmingham, Earl of Louth, with most of his kin and friends, were slain in an affray with the Gernons, Verdons, and other Anglo-Irish of Louth. The Nolans killed the Lord David Butler, the MacGeoghans of Meath, the Lord Thomas Butler; whilst the O'Tooles and O'Byrns of Wicklow, the Kavanaghs of Wexford, the O'Briens of Thomond, the O'Connors of Leix, the O'Dempsys of Clanmaliere, and the O'Mores of Offaly were making daily inroads on the English lands.[1]

Edward III. made some efforts to remedy these evils. In 1332 it was decreed that there should be the same law for Irish as well as English, and that

[1] Grace's Annals, Irish Arch. Soc. The Four Masters, edited by O'Donovan; Rot. Canc. Hiberniæ, Ed. II., 1327.

all such as possessed lands in Ireland, churchmen as well as laymen, should either dwell there or maintain a force sufficient to preserve the peace,[1] on pain of forfeiture. But as we have said before, the English law was no boon to the Irish, and English noblemen did not care about protecting wild wastes which brought them in nothing.[2] These ordinances were therefore of no avail; and Ireland, forgotten amidst the more exciting scenes of the French and Scottish wars, fell into the most wretched condition, a state of things naturally taken advantage of by men of *all* parties. Maurice FitzThomas, created Earl of Desmond, and James Butler, Earl of Ormond, obtained licences to add the counties of Kerry and Tipperary to the number of palatinates. In Connaught two younger branches of the De Burghs, having obtained[3] the charge of the lands which belonged to the infant heiress of the third Earl of Ulster (who was killed in a feud[4] in

[1] De articulis in Hybernia observandis, Fœdera, A.D. 1331, "quod "una et eadem lex fiat tam Hibernicis quam Anglicis."

[2] Thus, the lands of Thomas de Carew in Balygolan and Delgy, county Carlow; of Adomar de Valence in Glascarrick, county Wexford; and Thomas de Miltown in Glyndowyn, county Limerick, were "nil "valet modo quia vastat est et incult.—Rot. Canc. Hib., 8 Ed. III..

[3] Rot. Pat. Canc. Hib., 20 Ed. II., 8 Ed. III.

[4] The third Earl of Ulster is stated to have been murdered by one of his servants, but it is evident from various pardons in 20 & 29 Ed. III., Rot. Canc. Hib., that he was killed in an affray together with Walter

A.D. 1333), succeeded, after her long minority, in getting them transmitted to their descendants, who, under the names of MacWilliam Eighter and Oughter, added fresh strength to the disaffected Anglo-Irish. The English Government, in the vain hope of checking the steadily-increasing power of this body, ordered, in 1341, that no man should hold office in Ireland who was either beneficed, married, or estated in that country. But this policy did not amend matters; and the state of Ireland in 1357 is thus summed up by the Privy Council: "The marches situated near the enemy "had been laid waste, the marchers slain and plun- "dered, and their dwellings burnt. Traitors, "thieves, and malefactors remained at large, neither "the laws nor the approved customs being observed, "whence, both great and small were disturbed and "grieved by the neglects and carelessness of the "royal officers, and default of good government. "Justiciers took unlawful gains, the purveyors of

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de la Hyde, Sheriff of Meath, John de Scottowe, John de Roche, Knight, Nicholas Ulf, custodian of the county Limerick, &c. Amongst those pardoned, we find Fromund le Bruyn, Robert and Walter de Val, Sir Richard de Mandeville, John le Poer of Dunnoyl, Walter de Swordes, Laurence Petyt, John Larcher, brother of the Order of Jerusalem, and subsequently prior of Kilmainham, John de Overdale, sen. and jun., Edmond le Botillier, &c., &c.

"the principal ministers plundered the people, "whilst charters of pardons were generally and im- "providently granted." To remedy these evils, it was ordained[1] "That the purveyors of the king's "ministers of Ireland should pay for what they "took, otherwise they would be treated as thieves. "That pardons should not be granted except in "parliament or councils. That no prelate, noble- "man, or other, should dare to give the king false "information with respect to the state of the "country. That for the future the English should "not intermarry with the native Irish, or employ "them as nurses. That in all treaties of peace "between the Justicier of Ireland and the natives, "due satisfaction should be made to the sufferers. "That the judges should imprison no one without "indictment, presentment, or due notice. That "whoever stirred up dissensions between the "English by birth and the English by descent "should be punished."

Ten years later these same statutes were re-enacted at an assembly held in Kilkenny in 1367, presided over by Lionel, Duke of Clarence,[2] but, as usual, they proved utterly useless. The very habits and

[1] Statutes of the Realm, 10 Ed. IV.

[2] Statutes of Kilkenny, 1367.—Irish Arch. Soc., 1843.

customs of the people of Ireland were opposed to anything like order. The native Irish were accustomed to payments in kind, indeed they had no option, and the Anglo-Irish, from a similar necessity, had fallen into the same habit. There was *Bonaght*, or free quartering of the retainer on the tenant; *Cochery*, or free lodging for the lord and his retinue at all times; *Cuddie*, or free supper and lodging for the night; *Gilly cone*, or imposts for the maintenance of the lord's huntsman, &c. All which taxes were included in the Anglo-Irish term of "coin and livery." It is almost needless to state, that where such institutions existed, the armed followers of the leading men in each district exacted far more than was recognized by their masters. In 1345 an attempt was made to mitigate this evil by a statute, which ordained that two or more men of note from each hundred should be appointed custodians of the peace, with power to call upon all men capable of bearing arms, between sixteen and sixty years of age; and to arrest all horsemen or footmen, whether English or Irish, found vexing the people.[1] The statement of the English Council of 1357, to which reference has already been made, shows how nugatory this statute had also been. The fact is, it

[1] Statutes of the Realm, 18 Ed. III.

was impossible to induce the barons to obey the law when it was constantly being broken by the deputies and their officials; many of whom, instead of maintaining the royal authority, were striving, as usual, for forfeitures,[1] and considered it cheaper to subsidize[2] the native chiefs in order to prevent their making raids on the territories of the crown, instead of letting them feel the strength of the royal authority. What would have become of Ireland had it not been for the few towns of note, the inhabitants of which depended on trade for their livelihood, it is difficult to say. It is, however, but right to state that these Anglo-Irish barons had encouraged in every way the creation of these communities. William Marshall had bestowed charters on Kilkenny, Carlow, and Callan; Aymer de Valence, on Wexford; Walter de Lacy, on Trim; the De Burghs, on Galway; Roger Bigod, on New Ross; the Butlers, on Tipperary. Then around the strongholds of the FitzGeralds of Desmond had risen Tralee, Dingle, Askeaton, Kilmallock, Rathkeale. The FitzGeralds of Kildare had founded Croom, Maynooth, Naas, and Adare; the Butlers Thurles and Nenagh; the Fitzmaurices of Kerry,

[1] Pat. Rot. Canc. Hib., 32 Ed. III., Pars. ii.
[2] Ibid., 48-51 Ed. III.

Ardfert; the Anglo-Irish of Meath, Athboy, Navan, Nobber, Duleek, Delvin, &c. Yet the necessity which existed for each individual community to fortify itself carefully, and maintain a constant armed force, by wasting the small revenue from the various tolls,[1] entailed a heavy expense on the citizen and added to the ill-feeling against the Government. Indeed the condition of the whole community in Ireland at this period cannot be better exemplified than by stating that, in 1373, Sir Richard de Pembrugge, an eminent English knight, preferred losing the royal favour to proceeding to Ireland as deputy. He considered that he was not bound to assume the government of so barbarous a land. Edward III., unwilling to believe in this miserable condition of Ireland, yet unable to obtain any supplies from it, ordered an

[1] The town tolls of this period consisted of *Pavage*, a toll towards the paving of streets or highways; *Lastage*, toll of carriage sometimes exacted in a fair or market for carrying things bought where required, sometimes lading of a ship; *Stallage*, the right of erecting stalls in fair or market; toll paid to the lord of the soil for leave to break the ground to set up the stall; *Tronage*, toll for weighing wool (from *trona*, a beam to weigh with); *Kaiage*, wharfage dues; *Theolonio*, a writ lying for the burgesses of any town that have a charter or prescription to free them from toll against the officers of any town or market who would constrain them to pay it contrary to the said grant; *Murage*, toll taken of every cart or horse coming laden into a city or town, for the repair or building of its walls.

Irish parliament to sit at Westminster. The church remonstrated in the person of the Archbishop of Armagh, and the civil portion of the community, through the county of Dublin; but it was of no avail, and the elections had to be made.[1] The Anglo-Irish, determined to maintain their rights, pledged their members not to grant a subsidy,[2] and the experiment was never tried again. In fact, there was no money to grant. Edward III. had ordered, in 1331, that his treasury of Ireland should no longer accept payment of fines, &c., in cattle and corn; but in money.[3] So difficult was it for the people to find this money, that in 1378 the O'Brien being about to invade Leinster, and the Government wanting to buy him off with 100 marcs, this had to be made up with 9 marcs from the king's treasury, 16 marcs from the Prior of St. John, one horse, equal to 20 marcs, from William Fitz-William, one horse and shirt of mail, equal to

[1] See Appendix to vol. i. Leland's Hist. Ireland.

[2] Amongst others, Nicholas de Howth and Richard White of Killester, members for the county of Dublin, were so pledged. Dalton's Hist. County Dublin, p. 27. We also find that a writ had to be directed to the mayor and bailiffs of the city of Cork ordering them to compel those who refused to pay the reasonable expenses of a citizen of Cork lately elected and sent to that council.—Rymer's Fœdera, 1376; Parliament and Council of England, by Parry.

[3] De articulis in Hybernia observandis.—Rymer's Fœdera, A.D. 1331.

25 marcs, from John Fitzgerald, master of the Priory of Kylclogan, one horse, worth 20 marcs, from Robert Lughteburgh, one couch equal to 30 shillings, from John Moore, and 9 marcs 10 shillings, from Patrick and Robert de la Freyne.[1]

On the accession of Richard II. a Parliament was summoned at Tristledermot, but few of those to whom writs were directed attended;[2] and the perfect indifference with which all parties continued to regard the royal edicts induced Richard, in the year 1394, to land at Waterford with four thousand men-at-arms and twenty thousand archers. Backed by this great army, he was enabled to march unmolested along the coast as far as Drogheda, from whence he returned to Dublin to carouse for his supposed victories. But after a residence there of some months, that monarch found there were still

[1] Pat. Rot. Canc. Hib., 2 Ric. II., 44.

[2] The following were fined for non-attendance. The Archbishop of Tuam, 100*l.*; Bishop of Emly, 100 marcs; of Elphin, ditto; of Aladen (Killala), ditto; of Duacan (Kilmacduagh), ditto; custodians of the bishopric of Ross, ditto; Dean, chapter, and clergy of Cashel, 40*s.*; Richard de Burgo, knight, 10*l.*; Simon Cusack, knight, 40*l.*; Walter Birmingham de Athenry, 100*s.*; Meiler d'Exeter, 40*s.*; the county of Wexford, 10*l.*, because they had returned Richard Whyttye, who was outlawed; Meath, ditto, because John Freignes, one of the knights, did not appear; city of Galway and of Athenry, each 100*s.*—Pat. Rot. Canc. Hib., 1 Ric. II. p. 102.

three distinct classes in the country—the savage Irish, the rebel Anglo-Irish, and the obedient English; and that the savage Irish and rebel Anglo-Irish, having had good cause for their discontent, and being the most powerful, it was advisable to pardon their delinquencies. He was, however, doubtful whether to pardon them singly, making each pay a fine for the same, or whether he should grant a free and general amnesty. Unable to judge for himself, he submitted the matter to the decision of the Privy Council in England, who advised him to grant his favour royally, and to re-cross the Channel, which he did after knighting the four principal native chieftains, O'Neil, O'Connor, O'Brien, and MacMurrough, and taking with him their sons as hostages.[1] But he had not long left the country when feuds raged as fiercely as ever throughout Ireland; and in 1398 the Earl of March and Ulster, then Lord Lieutenant, was killed in an affray with the O'Byrnes and O'Tooles, of Wicklow. Richard II., on hearing of his kinsman's death, determined definitively to put down the natives, and returned to Ireland in 1399, taking with him

[1] Proceedings of the Privy Council of England, Pub. Rec., vol. i. pp. 51—59; Froissart's Chronicles, ch. 202. The sons of the chiefs appear to have been allowed to return.—(Issue Rolls of the Exchequer, 22 Ric. II.)

Henry, son of the Duke of Lancaster. He very soon discovered why the Irish had not been completely subdued before. No sooner did he attempt an expedition inland than he found three-fourths of the country to be wood and morass, and the inhabitants barbarians by nature as well as by name. Froissart — who conversed with many knights who had attended Richard—and a French gentleman who took part in the second expedition, both agree in their accounts of the perfect barbarism of the native Irish. They still erected their huts in the forests; and thousands of men had to be got together to cut paths for the royal progress. The underwood was so thick, and the paths were so miry, that the army could not, even then, get on; and provisions were so scarce that one biscuit between five men was thought good allowance. "For mine own part," adds the French knight, "I wished myself, without one penny in "my purse, in Paris." In his first expedition, Richard had taken great pains to civilize the principal chiefs, and amongst them the MacMurrough. Great was the tact required to induce them not to have their minstrels, servants, and varlets sitting with them, eating out of their dish, or drinking from their cup. Indeed the chieftains' appetites

failed them when they sat in state at the raised table. Great was the persuasion required to induce them to wear breeches, and gowns of silk, furred with miniver and grey, to ride on a saddle, use stirrups, or conform to other English customs which were patiently taught them by their tutor in chivalry, Sir Henry Christell. But the courtly education was soon forgotten. In 1399 the MacMurrough was seen riding without a saddle, upon a horse which was stated to have cost him four hundred cows, bearing in his right hand a long dart, which he cast from him with great dexterity; and he looked so athletic and so fierce that the writer considered it would be necessary to wait until the trees were bared of their leaves, and the woods burnt down, before he could be taken prisoner.[1] MacMurrough was saved, however, without the assistance of his woods; for the Duke of Lancaster landed in England,[2] and Irish, as well as Anglo-Irish, were once more left to their fastnesses and their feuds.

English officials then, as since, constantly bemoaned what they termed the restricted extent of the

[1] Chronique de la traïson et mort de Richart Deux Roy D'Engleterre. Engl. Hist. Soc., Londres, 1846; Froissart's Chron., Archæologia, vol. xx.

[2] The future Henry V. and the son of the Duke of Gloucester were placed for safety by Richard in the castle of Trim.

Pale, that is, that portion of the country more immediately governed by the king's officers; and it would appear at first as if this decrease of royal authority had arisen from some extraordinary increase in the power of the native septs. The fact is, the principal cause of the decline of the royal authority in Ireland had been the creation of the palatinates. That of Meath had become divided through the intermarriage of coheiresses with the families of Mortimer, Earl of March, the Lords Furnival and the De Burghershes. Ulster had fallen to Lionel, Duke of Clarence. Leinster was completely partitioned. Wexford had fallen to the Hastings, the Talbots, and the Earls of Athol; Carlow to the Mowbrays; Kilkenny to the De Spencers and the Staffords; Leix to the Mortimers. These great noblemen seldom visited Ireland unless sent to fulfil some lucrative post, and instead of keeping their quota of armed retainers, would subsidize some captain of a neighbouring sept. They, however, jealously asserted their palatine rights,[1] an example carefully

[1] "Counties palatine are so called *a palatio*, because the owners "thereof, had in those counties *jura regalia* as fully as the king hath in "his palace; regalem potestatem in omnibus, as Bracton expresses it. "They might pardon treasons, murders, and felonies; they appointed "all judges and justices of the peace; all writs and indictments ran in "their names, as in other counties in the king's; and all offences were "said to be done against their peace, and not, as in other places, *contra*

followed by the Earls of Desmond and of Ormond. The progenitor of the former Maurice Fitzgerald had obtained little in reward for his great services besides the lordship of Naas; but his second son, Gerald, was created Lord of Offaly, and his third son, Maurice, Lord of O'Connelloe, in Limerick. The second Lord of Offaly became Justicier, and the second Lord of O'Connelloe received a grant of the Decies and Desmond with the daughter of Thomas Fitz-Anthony.[1] In 1316 John FitzThomas FitzGerald, the sixth Lord of Offaly, was created Earl of Kildare; and Maurice FitzThomas FitzGerald, the fourth Lord of O'Connelloe, who, as well as his father filled the office of Justicier, had livery of Decies and Desmond in 1312, of Kerry in 1315, and was

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"*pacem domini regis.*"—Stephen's Comm. on the Laws of England, vol. i. p. 123; see also 10 Hen. VII. c. 15, & 28 Hen. VIII. c. 3, Irish Statutes.

[1] He was Baron of the Exchequer in Ireland A.D. 1200, and in 1215 obtained a grant to him and his heirs of Desmond and the Decies. He left four daughters, but three of them, married to Gerald de Rupe, Godfrey de Norrach, and Stephen de Archdekne, were deprived by the crown of their shares owing to their husbands having sided with the Earl of Pembroke in the war of Kildare. In the grant of these lands to John FitzThomas FitzGerald, his wife is described as *consanguinis regis*, but whether this was on the father's or mother's side I have been unable to discover.—Rot. Canc. Hib. Antiq.; Rot. Chart. Turri, Lond., A.D. 1215; Rot. Lit. Claus., A.D. 1223; Calend. Genealog. Inq., 6 Ed. I.

created Earl of Desmond in 1329; so that, by the middle of the fourteenth century, the FitzGeralds ruled over the greater portion of Limerick, Kerry, Cork, Waterford, and Kildare. The Butlers had been equally fortunate. The first of that family, Theobald Fitzwalter, was lord of several manors in Lancashire; and on the forfeiture of the lordship of Limerick by De Braose, he obtained a large share of the district of Tipperary, in addition to numerous manors bestowed upon him near Dublin. His son filled the office of Justicier, and was created Chief Butler of Ireland, with an hereditary right to the prisage on all wines, which always brought in a considerable revenue. The fourth lord married a daughter and coheiress of John FitzJeffrey Fitz-Piers, by whom he inherited lands in Essex, Hampshire, Surrey, and Bucks. The sixth, Edmund le Botillier, Lord Deputy, on being created Earl of Carrick MacGriffen, in 1316, received a grant of the Honour of Carrick-on-Suir. James, second Earl of Carrick, and first Earl of Ormond, obtained the erection of Tipperary into a palatinate; and the third earl purchased the castle and lordship of Kilkenny from the heirs of Hugh le de Spencer. Until the death, in 1333, of William de Burgh, third Earl of Ulster, the power of the De Burghs had been

unrivalled; but the subsequent separation of the Connaught estates from those of Ulster, and the dissensions which arose between the MacWilliams Eighter and Oughter, enabled the FitzGeralds and the Butlers to pursue their ambitious course uncontrolled. For many a long year the narrative of their feuds forms a prominent feature in the pages of the Irish chroniclers; otherwise at this period the history of Ireland presents few features worthy of attention. Each Anglo-Irish family, each native sept, carried on the same kind of disputes, the same sort of intestinal wars, throughout the fifteenth century as their ancestors had done in the thirteenth. The country presented the same want of civilization, the same neglect of internal improvement, the same difficulties of commerce. Payments were still made in corn and cattle.[1] The officials of English race, mere creatures of the English Privy Council, still looked down upon both Anglo-Irish and Irish, and recruited their shattered finances by raising subsidies for wars which generally terminated in some miserable expedition against the nearest tribe, or in quelling some disturbance originally created for the purpose of obtaining forfeited lands. Sometimes, in the vain hope of

[1] Rot. Pat. Canc. Hib., 3 Hen. IV., 61-65; 3 Hen. VI., 114, &c.

restoring tranquillity, a Duke of Lancaster or a Lord Furnival, connected with the country by property, was appointed Lord Lieutenant; but such men soon pined for the more interesting scenes of English life, and left some ambitious priest or needy follower to carry on the government. Occasionally a Kildare, a Desmond, or an Ormond had sufficient credit to obtain the post, and then Irish and Anglo-Irish were in their glory, for the cries of "Butler aboo!" "Cromaboo!" and "Shanetaboo!"[1] resounded fiercer than ever. The consequence of all this was, that each succeeding generation of the Anglo-Irish became more truly Irish than its predecessor, until, by the middle of the fifteenth century, the only manner in which English marchers could be recognized was by the hair on the upper lip being "once, "at least, shaven every fortnight,"[2] Attempts were made, from time to time, to remedy this state of things by a series of absurd and barbarous statutes, in the passing of which the Anglo-Irish, as a body, had but little voice. Indeed, it is needless to say that, in a country devoid of roads—where a man no

[1] War-cries of the Ormond, Kildare, and Desmond families, forbidden by Irish Statutes, 10 Hen. VII. c. xx. The succession of deputies given by Ware, in his Annals of Ireland, is perfectly perplexing. There were seventy-one between 1 Hen. IV. to 1 Hen. VII.

[2] Statutes of Ireland, 25 Hen. VI.

sooner left his territory than it was plundered by a neighbour, a Parliament could not easily be assembled.[1] Some Deputies would summon the men of Meath or Dublin together; others bestowed power on certain commissioners to convene an assembly of a county when and where they pleased;[2] whilst others again subdivided Ireland into districts, over which they appointed sub-deputies,[3] who called together the chief men of these districts. Then, if a general parliament was summoned by the crown, it was swamped with prelates or officials of English birth; and a series of statutes was enacted totally unsuited to the country for which they were intended. What, indeed, could be more absurd than that a man living in the Marches, whose only neighbours were Irish, should neither marry an Irish woman, nor hire an Irish nurse; that he should be ordered to use a saddle where a

[1] This difficulty of getting the barons together at any distance from their lands, induced the Government, in 33 Ed. III., to hold two parliaments at the same time, one at Dublin and one at Waterford.—Rot. Claus. Canc. Hib., 33 Ed. III. 21 & 22.

[2] Ibid., 2 Hen. IV. 19.

[3] Thus, Gilbert Halsale, deputy to John de Stanley in Ulster, ibid., 1 Hen. IV. 72; Thomas de Burgo, deputy in Connaught, 1 Hen. IV. 74; Stephen le Scrop, ditto, 4 Hen. IV. 3, pars. 25; Laurence Merbury, treasurer of Ireland, Edm. Noon, seneschal of the lieutenant's household, Edward Perers and David Wogan, king's deputies in Kildare and Carlow during the lieutenant's absence, 3 Hen. IV. 74.

saddle was often unknown; that he should employ no one in his service who did not speak the English tongue, when often his own tradition of the English tongue was the Anglo-Norman of his forefathers; that he was not to wear linen dyed with saffron, merely because the natives used that dye; or wear long cloaks, except when on a journey, or "reising out upon a cry," where it was all woods, bog, and rain. Yet such enactments were repeated as late as 1537.[1] Petition on petition was presented to the English crown, praying for redress; but if, in consequence of such petitions, orders were sent to the Lords Deputies to cause some more salutary laws to be passed, they, again, were counteracted by others, under which crimes could be committed with impunity.[2] No wonder, therefore, that the native Irish still declined to admire a system which could call on them for military service, without affording them protection; or that numbers of the Anglo-Irish preferred the Brehon law, or their own summary justice, to the special plead-

[1] Statutes of Ireland, 28 Hen. VIII. c. 14; State Papers, Hen. VIII. vol. iii. c. xxii.

[2] 33 Hen. VI.; 5 Ed. IV. By this latter it was enacted that it should be lawful for any man to kill any thieves robbing by day or by night, or going or coming to rob or steal. These were to be known by having no faithful man of good fame in their company in English apparel.

ings of courts which seldom benefited any but the judge.[1]

Nothing can be more melancholy than the perusal of the Irish chroniclers, who narrate the quarrels which took place daily over the whole country. Yet what else could the people do? Inland trade was checked by tolls, levied by each city and lord of the manor, or which had been bestowed on some royal favourite.[2] Goods could not be sent across the Channel, which was infested with pirates, without permission. Trading with the native Irish was fre-

[1] Proc. Privy Council, vol. ii. pp. 43—52.

[2] Richard II. allowed Roger, Earl of March, to raise customs on all goods entering the towns of Trim; Athboy, Scryne, Navan, for the fortifying of Trim (Pat. Rot. Canc. Hib., 3 Hen. IV. 226). The tolls and customs of things to be sold coming from the town of Athboy, as far as the bridge of Andevery, and from the same town as far as Blaklak, near Kenlys, and thence as far as the liberty of the borough of Trim, granted to Philip White and John Batcock, during the minority of the heir of Roger de Mortimer, Earl of March (1 Hen. IV. 50). Parliament at Wexford by Thomas, Earl of Desmond, deputy to George, Duke of Clarence, Lieutenant of Ireland. Cap. 40. That the Baron of Delvin might call before him one man out of every house four times by the year, which were dwelling or residing within the said barony, to make fortresses for the defence thereof (p. 321). Cap. 45. That one common share shall be levied in all the towns of the county of Wexford, where the sovereign of the town for the time being, by the advice of the wisest men of the town will think best. If any man do contradict it, to forfeit 40*l.*, to be bestowed upon the said walls.—Carew MSS. Rec. Com., vol. *i. p. 316.* 5 Ed. IV. Parliament at Trim before Thomas, Earl of Desmond, deputy to George, Duke of Clarence. Cap. 47. 10*l.* granted upon the county of Kildare, for the edifying of the castle of the Norraghe by Wellesley, Baron of the Norraghe.—P. 316.

quently prohibited, and they retaliated by destroying or robbing the merchants, an example not unfrequently followed by Anglo-Irish barons.[1] That

[1] The inhabitants of Dublin, Drogheda, and other parts prohibited from exporting corn, wine, and other provisions from Ireland without special licence of the king.—Rot. Canc. Hib., 2 Ed. II. 85. Neither wheat nor fish to be exported from Ireland.—29 Ed. II. 45. Ralf de Stanfeld allowed to export 600 quarters of wheat and 20 tons of salt fish to England.—Westm. Adam de Lovestok, Peter de Wakefield, Thomas de Quykeshull, and Peter de Okebourne, pledges that he takes it nowhere else.—Ibid., 32 Ed. II. 121. Thomas Percy, Earl of Worcester, allowed to purchase 20 quarters of wheat in Ireland for the use of his household in England.—Ibid., 3 Hen. IV. 18. Neither horses, arms, wheat, fish, or falcons to be exported from Ireland.—Ibid., 1 Hen. IV. 10, &c. Pirates seem to have flourished at all times in the Irish Channel; and by Rot. Claus., 1 Hen. VI. 3, ibid., we find "that Castilians, "Scots, and other enemies infested the sea to the ruinous interruption of "Irish commerce." Ireland had at first an admiral of its own. Thus, John de Athy, 8 Ed. II., William Spalding, William Byfeld, and William Frokesham, temp. Ric. II., &c.; but Henry V. united it to the admiralship of England and Aquitaine in the person of Thomas Beaufort. —Rot. Canc. Hib., 8 Ed. III., 10 Ric. V., 3 Hen. V. Neither horses, arms, salt, iron, nor victuals to be sold to the Irish.—1 Hen. IV. 10. The town of Ross, so surrounded by Irish that the citizens are allowed to obtain victuals from them in war-time as well as peace-time, and allowed to pay Arthur MacMurrough 10 marcs yearly.—Ibid., 4 Hen. IV. 30. As late as 1543 we find the Lord Barry levying black mail on Youghal, Cork, and Kinsale.—Macariæ Excidium, Irish Arch. Soc., p. 284. That none should have any wheat or other corn with purpose to transport the same, after the peck of wheat exceeds the price of 12*d.*, and of other corn 8*d.* The offender to forfeit his corn, the one half to the king the other to the seizer. That no manner of possessor, master, purser, or mariner of any ship or boat shall take for freight of a horse betwixt Ireland and England, or Ireland and Wales but 5*d.*, for a runlet but 12*d.*, or for a hawk but 12*d.*—Carew MSS., p. 316. That no person lade any grain out of this land if the peck exceed 10*d.*, upon pain of forfeiture of the grain and of the ship. —P. 318. 20 Ed. IV. Parliament at Naas, and adjourned to Dublin.

these evils arose from the carelessness of the English Government respecting Ireland it is impossible to deny. Richard II. bestowed the country on his favourite, the Earl of Oxford, whom he created Marquis of Dublin and Duke of Ireland, as a feof;[1] Henry IV. on his son Lancaster for twelve years, with power to name his own deputies;[2] Henry V. on Sir John Talbot for six years, with the same power;[3] Henry VI. on the Duke of York for ten years, with all the revenues it afforded, and leave to dispose of all land and appoint to all offices.[4] It was therefore perfectly useless to petition against men who could not be removed. Still many of these petitions were bold and straightforward. A parliament held by James, fourth Earl of Ormond, in the 1st Henry VI., sent a deputation to the Privy Council of England, with one signed under the great seal of Ireland. It accused the Lord Lieutenants and their deputies of extortion, oppression, raising of coin and livery, and not putting in

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Cap. 3. That no English merchant carry any goods or merchandize to any of the merchants of Cavan, Grenard, Longford, or any Irish county out of the English pale, or bring any goods from the said marches, upon pain to forfeit the same goods and their bodies to be at the king's pleasure.—P. 320.

[1] Rymer's Fœdera, A.D. 1388.

[2] Rot. Canc. Hib. 11 Hen. IV. 56.

[3] Ibid., 2 Hen. V. 86.

[4] Rymer's Fœdera, A.D. 1423.

force the laws; of reserving to their own use the subsidies granted for the defence of the land; and it named, in particular, John de Stanley and John Talbot as having become enriched by extortion and oppression.[1] But such petitions were either disregarded, or the petitioning party was quieted by being placed in power. The wavering policy thus pursued by the English Privy Council is well illustrated by that of Henry VI., who recalled Talbot on the complaint of the Earl *of* Ormond, and then sent the Earl of Ormond to the Tower on that of Talbot's brother, the Archbishop of Dublin, and of Thomas FitzThomas Fitzgerald, Prior of St. John's in Ireland. The king himself thought the sword might decide as to who was right; and having allowed of a trial by battle at Smithfield between the Earl of Ormond and FitzThomas, he paid for the latter being instructed in certain knowing cuts and thrusts by a worthy fishmonger of the city of London, one Philip Treher, who seems to have been the favourite master of the art of fence for his time. Unfortunately for the king's sport, some zealous preachers of that city interfered, and the combat did not take place.[2]

[1] Rot. Canc. Hib., 1 Hen. VI. iii.

[2] Proceedings of the Privy Council, vol. v. pp. 317-327; vol. vi. pp. 57-59.

If, however, English officials failed in their duty, it must be readily admitted that the inhabitants of Ireland, Irish as well as Anglo-Irish, had utterly failed in theirs. The land was naturally fertile, and its hides and wools were inducements to the merchants of Lubeck and Bayonne to frequent its ports. But these never-ending feuds rendered it impossible for any one to live in the country who was not at all times able and ready to hold his own. That love of warfare for warfare's sake seemed to grow year by year, and by 1422 we find that, in consequence, landholders, artificers, and operators emigrated daily to England.[1]

Some historians, in endeavouring to trace the cause of this barbarism at a later period, attribute it to so many Anglo-Irish falling in the Wars of the Roses.[2] Such, however, is not the fact. Richard, Duke of York, who, as descendant of the Mortimers, Earls of March,[3] was Earl Palatine of Ulster, and lord of half Meath, led some of his retainers into England. The fifth Earl of Ormond,

[1] Pat. Rot. Canc. Hib., 1 Hen. VI. iii.

[2] Amongst others, one Marquis Carew, who held lands in Cork, is always mentioned. It is very clear, from Carew MSS., vol. i. p. viii., that he left Ireland temp. Ric. II.

[3] By marriage of Edmund de Mortimer, Earl of March, with Philippa, daughter of Lionel, Duke of Clarence, and Elizabeth de Burgh, Countess of Ulster.

created Earl of Wiltshire during the lifetime of his father, followed the Lancastrian faction, and being taken prisoner after the battle of Towton, was beheaded. But the Anglo-Irish, as a body, appear to have taken little interest in the civil wars of England; on the contrary, they appear to have attracted English yeomen into their service. When reading their Chancery rolls, or the native annalists, it is difficult to discover that any unusual events were taking place in England.[1] Even in Meath we find the families of Barnwell, Preston, Plunkett, &c., increasing in power. The Earls of Desmond and Kildare are said to have been Yorkists. They were opposed, it is true, to the Earl of Ormond; and a feud of some severity was carried on between them and the Butlers in 1462; but in 1467 Thomas, Earl of Desmond, then deputy, was beheaded by order of Edward IV., and the Earl of Kildare was sent to the Tower, where he lay till 1469, when, on

[1] The Council of Ireland, in 1533, tells us that "by the relation of "ancient men in times past, *within remembrance*, all the English lords "and gentles within the pale heretofore kept retinues of English yeomen "in their houses after the English fashion, according to the extent of "their lands, to the great strength and succour of their neighbours, "the king's subjects."—State Papers, Hen. VIII. vol. ii. p. 163. In 1462, the sixth Earl of Ormond is said to have brought over with him to Ireland a numerous force of English.—The Four Masters, edited by O'Donovan, vol. ii. p. 1021.

Henry VI. becoming once more king of England, he, as well as the heir to the late Earl of Desmond, was restored to his estates. Indeed, if anything, the Anglo-Irish nobility had considerably increased in power by the time of Henry VII., of which fact there can be no better proof than the conciliatory policy which that monarch was compelled to adopt towards them. Henry VII. had succeeded in becoming king of England, not so much from the death of Richard III. at Bosworth, as from the exhaustion of the English nobility. One of his first acts was, therefore, to revoke all grants made by the crown since 34 Henry VI., in order to replenish his treasury[1] and reward his immediate adherents.

[1] The poverty brought on England by the late disastrous civil wars, and the comparative prosperity in Ireland, is curiously exemplified in a letter from the Papal Envoy, Persio Malvezzi, to Innocent VIII., 19th March, 1489. He had been sent to collect the Peter's pence, and was then with the collector in London:—"I will cross over to Ireland, "the whole of which we have consigned, with the approval of the "archbishop, to a priest, noble and rich and of good consience, and who "for the fifth part of the total amount will collect the whole entirely at "his own cost: but I have sent one of my attendants with him, that "we may not be flayed by the grocers.* After June, I will go over there "with the original bull, for otherwise they will not believe anything. "In this kingdom, which in Italy is supposed to be full of gold and "silver, I have seen nothing of the sort as yet; nay, I am told this "jubilee will not yield 20,000 ducats. Had I known this, I would

* "Grocers," as explained by 37 Ed. III. 5, were merchants that engrossed all merchandise vendible.

The reply of the Anglo-Irish to this was a general rising in favour of Lambert Simnel, who proceeded to Dublin, 1487. The Lord Deputy, Gerald, eighth Earl of Kildare, the Archbishops of Dublin and Armagh, together with the Council of Ireland, acknowledged him, and he was crowned at Christchurch by the Bishop of Meath. A parliament assembled by the new monarch declared war against Henry. Joined by two thousand Germans, and the English lords Lovel and Lincoln, the insurgents landed near Furness, in Lincolnshire, marched through Yorkshire into Nottinghamshire; and though utterly defeated at Stoke, not a single Anglo-Irishman was mentioned in the Act of Attainder which followed that battle. Henry contented himself with sending Sir Richard Edgecumbe the following year to Ireland, to receive an oath of allegiance from the people; and in 1489 the Earl of Kildare, Viscounts Buttevant and Fermoy, the Lords Athenry, Kinsale, Gormanston, Delvin, Howth, Slane, Trimleston, Killeen, and Dunsany were entertained at Greenwich, where they were waited

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"never have published the bull, till after acquainting you; being "certain that for such an amount you would never have placed yourself "under obligation to the king; after publication, however, I did not "think fit to draw back, but endeavoured to prove my information "false."—Calend. State Papers, Venice, vol. i. Rec. Com.

on by their quondam king.[1] Again, in 1491, Perkin Warbeck was openly received by the citizens of Cork, and in 1495, at the instigation of the King of France, was joined by the Earl of Desmond and numerous adherents, who laid siege to Waterford. Yet Henry, after Warbeck's capture, granted free pardons to the Archbishop of Cashel, the Bishops of Lismore and Cork, the Earl of Desmond, his principal kinsmen, and the Lords Roche, De Courcy, and Barret, for their share in these transactions.[2]

If, however, Henry VII. recognized that the Anglo-Irish were too powerful to be treated otherwise than with lenity at a time when the allegiance of a large portion of his English subjects was more than doubtful, he most ably checked their independence for the future. The Anglo-Irish as a body were greatly dissatisfied with the manner in which lord lieutenants or their deputies had, during the late three reigns, convoked parliaments at their pleasure, to pass statutes intended to serve party purposes or personal interests, and frequently con-

[1] Rot. Parl., vol. vi. pp. 275-278, 336-384, 386-400; Harris's Hibernica, Sir R. Edgecumbe's Voyage to Ireland, 1488; Lingard's Hist. England, vol. iv. p. 277; Calendar of State Papers relating to English affairs at Venice, vol. i. pp. 208-242.

[2] Documents relating to Perkin Warbeck, by Sir F. Madden, Archæologia, vol. xxvii.; Rymer's Fœdera, A.D. 1496.

trary to all sense of justice. Taking advantage of this feeling, Henry VII. induced a parliament, assembled at Drogheda in 1494, to pass an act known as Poyning's Act, from the deputy who was employed to carry it through, which forbade for the future any parliament being held in Ireland until the questions to be submitted to it had received the sanction of the council of England. That this statute did not fully accomplish the object desired, arose, from the difficulties presented by the religious disputes which took place in the following century. It did however much towards enabling the English Government to recover its influence in Ireland, and ever acted as a powerful check over the Anglo-Irish.

## CHAPTER III.

### THE REFORMATION.

To place before the reader an unbiassed account of Irish history throughout the sixteenth century is a difficult task. Whilst in every Christian state throughout Europe some portion of the people were endeavouring to emancipate themselves from the superstitions of the middle ages, Irish and Anglo-Irish united to prevent that emancipation being forced upon them. The Reformation was based on learned inquiry, and the inhabitants of Ireland were peculiarly ignorant. Its schools of divinity, once famous in Christendom, had become a mere tradition. In 1311 A.D. John Lech, Archbishop of Dublin, obtained a bull from Pope Clement V. for the purpose of founding a university in that city, and this object was carried out by his successor, Alexander de Bicknor, in 1320. But it was little resorted to, and before many years was forgotten.

In 1465 another attempt was made to found a university at Drogheda; "because," as says the charter, "that the land of Ireland has no university nor "general place of study within it."[1] This also soon failed, and the English universities refusing to allow the people of Ireland to participate in their endowments,[2] the only sources for learning were limited to a few of the monasteries. Irish was still the only language, not only of the natives, but of many of the Anglo-Irish, and as yet neither Scripture nor Liturgy had been translated into their tongue. In fact, Henry VIII., when he succeeded to the throne, found that his people of Ireland, so far from taking an interest in the theological questions of the day, had yet to be taught the very rudiments of civilization—obedience to the law. In 1515 a careful inquiry was made into the condition of the country. It was found that the Anglo-Irish willingly obeyed the king's laws when those laws afforded them pro-

[1] Ware, Antiq. of Ireland, vol. i. p. 245.

[2] 1 Hen. VI. "Forasmuch as divers manslaughters, murders, rapes, "riots, conventicles and offences now late have been done in England by "people born in Ireland repairing to the town of Oxenford and there "dwelling under the jurisdiction of the University of Oxenford, it is "enacted that all people born in Ireland shall depart the realm within "one month after the proclamation of this ordinance upon pain to lose "their goods and be imprisoned at the king's will; saving graduates of "the University and such as could find surety." See also 4 Hen. V. st. 2, c. 6.

tection; and that never had there been such peaceful times. Still sixty Irish chieftains, and thirty Anglo-Irish barons claimed the right of private jurisdiction.[1] English soldiers suffered much from dysentery, owing to the dampness of the climate, and the Government, in consequence, was frequently forced to call on the services of one or other of these independent nobles, whereby private feuds were inevitably renewed.[2] The office of Deputy was still no sinecure. Gerald, eighth Earl of Kildare, when filling that office had to rout the *north*-western septs, united under his own son-in-law Clanricarde, and was himself at last shot by an O'More of Leix. Shortly after his death it was deemed advisable to send over as Deputy an English nobleman, free from all local prejudices, and the Earl of Surrey was selected. But Surrey soon complained that his men could not live on their pay;[3] that proper remittances were not made to him;[4] laid down plans for a succession of

[1] State Papers, Hen. VIII. vol. ii. [2] Ibid., xxiv.

[3] "Victuals so dear here, and especially drink, that the soldiers cannot "live on 4*d.* a day and reserve anything to buy raiment. I beseech "you to increase the wages of the soldiers one penny more a day." —Surrey to Wolsey, Carew MSS., Rec. Com., vol. i. p. 11.

[4] "If any Irishman shall make insurrection or invasion upon the "king's subjects, I could not issue out of this town for lack of money. "I and the treasurer, and all the captains of the king's retinue here "have not 20*l.* among us all."--Ibid., p. 16.

campaigns which were to last for years ;[1] and caught the dysentery. Henry VIII., then taken up with his controversy with Luther,[2] found his English Deputy far more expensive than an Irish one, took advantage of the dysentery, advised Surrey to return, and appointed Sir Pierce Butler, Earl of Ossory, as his successor.[3] This nobleman made the most of his opportunity. Allowing the O'Donels and the O'Neils in the north to slaughter each other, he raised coyne and livery wherever he could, not only "for his horsemen, kerne, and galloglas, but "also for his masons, carpenters, and taillours, "being in his own works, and also for his sundry "hunts, that is to say 24 persons with 60 grey-"hounds and hounds for deer-hunting, another "number of men and dogs for to hunt the hare, "and a third number to hunt the martin, all at the "charges of the king's subjects, meat, drink, and "money; the whole charges whereof surmounteth "2,000 mark by year;"[4] and to satisfy the people, Gerald, ninth Earl of Kildare, was appointed to the

[1] Surrey to Hen. VIII. State Papers, Hen. VIII., vol. ii., p. 18.

[2] The *king commands me to send* you the letters which he has received this day from Ireland, &c. . . . declaring that he was otherwise occupied; *in scribendo contra Lutherum*, as I do conjecture.—R. Pace to Wolsey, Carew MSS., vol. i. p. 18.

[3] Hen. VIII. to Surrey, ibid., p. 22. [4] Ibid., p. 32.

Deputyship.[1] He soon, however, was summoned to England, to answer for certain alleged remissness in his performance of this duty. Cardinal Wolsey, who is said to have borne personal ill-feeling against the Kildares, appeared as his accuser before the Council. But the reply of the Deputy much perplexed the haughty prelate. "I slumber in a hard "cabin," said he, "when you sleep in a soft bed of "down. I serve the king under the cope of "heaven, when you are served under a canopy. I "drink water out of my helm, when you drink out "of golden cups. My courser is trained to the field, "when your jennet is taught to amble. When you "are graced, and belorded, and crouched, and "kneeled to, then find I small grace with our Irish "borderers, except I cut them off by the knees."[2] But no amount of public services could in that age protect a man from the consequences of secret slander. Irish deputies suffered from this, perhaps,

[1] Froude, in one of his entertaining chapters on Irish manners at this time, makes the following curious remark: "Through this period "of Irish history there is one standard which will rarely mislead the "judgment. The relation in which any man in high office placed him-"self towards the Earl of Ormond was a sure measure of his under-"standing or his loyalty," &c., &c.—Hist. of England from the Fall of Wolsey, vol. iv. p. 78. It is difficult to understand how so able a writer should have taken so one-sided a view.

[2] Holinshed's Chron. of Ireland.

more than most officials of the time. From the earliest creation of that office the Deputy had been assisted by a Council, and the principal duty of a councillor had ever been to report the various actions of his co-councillors and of the Deputy, with commentaries, to the more influential members of the Council of England.[1] Then a Fitzgerald, or a Butler, when Deputy, had to beware, not only of the intrigues of his councillors, but likewise of those of the rival faction. The career of the ninth Earl of Kildare is a curious illustration of this. For forty years he and his father had almost monopolized the office of Deputy. Frequently called on to repair to England to answer allegations secretly made, he had each time returned with increased honours. But his detractors proved at last too powerful for him. Amongst them were a certain John Allen, clerk to the Council in 1523, who subsequently rose to be Lord Chancellor; Robert Cowley, bailiff of Dublin, afterwards Master of the Rolls; and another John Allen, no relation of the former, who was made Archbishop of Dublin in 1528. This prelate had been chaplain to Cardinal Wolsey, and judge of the legatine court, in which

[1] As far back as 1223 we find Roger Huscarl and John Marshall ordered to be of the Irish Council, and members of that body sending complaints of the conduct of the Justicier to England.—Rot. Claus., vol. i. pp. 525, 526, 551, 570.

latter capacity he had been strongly suspected of dishonesty.[1] From each of these officials, reports unfavourable to Kildare were being constantly sent to Wolsey;[2] and, when the Cardinal was disgraced, they were as readily addressed to Cromwell.[3] The complaints of the head of the house of Butler were

[1] Ware's Hist. of the Bishops of Ireland.

[2] The following is a fair sample:—While Lord Ossory and his son attend your pleasure and deliberations concerning the affairs of Ireland, "others ryne in at the window the next way, making immediate "pursuita" to the king and obtain all they desire by means of Anthony Knevet and others. The destruction of Ireland will ensue without speedy redress. The Archbishop of Cashel, by sinister means and without your knowledge, make importunate suit at the court for sundry unreasonable grants, liberties, and privileges, tending to the maintenance of the Earl of Desmond and his confederates and to the utter destruction of Lord Ossory and his son. The Archbishop has a bill signed by the King directed to the Chancellor of Ireland, and he and his chaplain have fraudulently obtained the king's letters to the council of Ireland against Ossory and his son in favour of Sir James Butler, who is the greatest friend, ally, and succour of the Earl of Desmond. He has also transgressed the king's command, "taking open maintenance" with Desmond. He and Sir James, "by the seditious practice of the man "that your Grace knoweth," have confederated to disturb Ossory's country, "the one with his spiritual power, and the other with his "strength," in order that my said Lord or his son should not be able to serve the King against Desmond or defend himself. "The room "of secondary justice of the Common Pleas in Ireland is given to Sir "Gerald Aylmer, menial servant to my Lord of Kildare, and hath a bill "signed to the Chancellor of Ireland. Other divers mean offices be "also given away." Knevet has obtained the Bishopric of Kildare for a "simple Irish priest, a vagabond without learning, manners, or good "quality, not worthy to be a holy-water clerk." I hear the King will pay for his bulls.—Robert Cowley to Cardinal Wolsey, Carew MSS., vol. i. p. 35.

[3] State Papers, Hen. VIII., vols. ii. iii.; Carew MSS., vol. i.

as constant and as underhand.[1] This nobleman, Pierce, Earl of Ossory, brother-in-law to Kildare, was descended from the third earl, and had succeeded to the title of Ormond on the death, without male issue, of the seventh earl, who had been restored to the family estates in 1st Henry VII., and in 1495 obtained the English peerage of Rochford. That title, together with a considerable amount of the Butler property, had descended to the Boleyn family, by marriage of the daughter and coheiress of Lord Rochford with Sir William Boleyn. Pierce Butler had in 1527 been obliged to allow Thomas Boleyn, Lord Rochford, to assume the title of Ormond, and to content himself with that of Ossory, which was given him in exchange. But, if the head of the house of Butler was no longer a rival for Kildare in the field, he was strongly imbued with the spirit of the age, and tried to increase his patrimony with a share of Kildare's wealth by the crooked ways of intrigue. The Deputy, who was endowed with a considerable amount of ability, and had allied himself with the English houses of Gooch and Dorset, through whom he claimed alliance with the king,[2] counteracted for a consider-

[1] State Papers, Hen. VIII., vols. ii. iii.; Carew MSS., vol. i.

[2] "My first wife was your poor kinswoman, and my wife now in "like manner."—Kildare to Hen. VIII., Carew MSS., vol. i. p. 30.

able period the manœuvres of his enemies. He even, in 1532, obtained the dismissal of the Archbishop of Dublin from the office of Chancellor. But in 1533 Anne Boleyn became Queen of England. The Irish lands of her father adjoined those of the Earl of Ossory, to whose son it had been proposed, in 1520, to marry her elder sister.[1] The Earl of Ossory, taking advantage of the aggrandisement of his kinswoman, renewed his efforts for Kildare's removal, and in February, 1534, that nobleman was once more ordered to repair to England. He however received instructions to depute some one to carry out his duties during his absence, for whom he would be responsible, which he did by appointing his eldest son, the Lord Thomas FitzGerald. The charges brought against Kildare were most vague. Amongst other things it had been reported by one Deythicke, a priest,[2] that Kildare had removed the king's ordnance from the castle of Dublin to his own castles. Kildare readily admitted the fact, explaining that it was done to strengthen the Marches against the attacks of the natives, and that the best proof he intended no treason was that, whilst he had strengthened his walls with a few popguns, he had

[1] State Papers, Hen. VIII., vol. ii. xi.
[2] Ibid., lxvi.

willingly committed his bones to the care of the Council.[1] He was also accused of having allowed the Irish to devastate the lands of the English. Yet the Privy Council were but too well aware that Kildare and his kinsmen had exerted themselves to the best of their power to restrain the Irish, who, as usual, were ever on a raid. In a report, which Cromwell had received from one of his private correspondents, he was told that the Earl of Kildare had been severely wounded the year before in an attack on a castle belonging to an O'Carroll; that, subsequently, three of his brothers had been surprised by the O'Tooles, and nearly lost their lives; that a fourth had been wounded in an attack on the MacMahons; and that his son and heir Thomas had lost several of his most trusty followers in a raid on the O'Reillys.[2] It was then thought convenient to connect Kildare with the papal party. Hitherto, although every accusation which could be imagined had from time to time been made by his enemies, in no instance had they hinted at the disputes between Henry VIII. and the papacy. Now, however, that it was determined to ruin Kildare, Cromwell was duly informed by one of the official spies

[1] Holinshed, Chron. Ireland.
[2] State Papers, Hen. VIII., vol. ii. lxiv.

that Kildare's kinsmen boasted of being of the Pope's faction, and of their readiness to serve him against the king, whom they accounted accursed.[1] Kildare was sent to the Tower, and, in the month of May of the same year the Earl of Ossory was appointed governor of the counties of Kilkenny, Tipperary, Waterford, and the county of Ossory and Ormond, pledging himself in return to acknowledge the king's supremacy.[2] But whatever may have been the cause for which Kildare was sent to the Tower, the Lord Thomas FitzGerald was informed, a few months after he had assumed the government, that his father had been put to death. It is said that some members of the Council, and especially the Archbishop of Dublin, taking advantage of the Lord Thomas being a young man of a peculiarly rash temperament, got this tale conveyed to him in order to induce him to commit himself with the king. If so, they were but too successful.

On the 11th July, 1534, the Lord Thomas, at the head of seven score horsemen in shirts of mail, rode to St. Mary's Abbey, Dublin, where a council was being held, and, to the astonishment of all present, delivered up the sword of state, and re-

[1] State Papers, Hen. VIII., lxxiii.
[2] Ibid., lxxii.

nounced his allegiance to the crown. All authority was at an end, and the country was soon in flames. The Earl of Ossory declining to join the rebels, they invaded Kilkenny, and the Lord Thomas, encouraged by the success he obtained there, and the large number of followers who flocked to his standard, amongst whom were five brothers of his father, laid siege to the castle of Dublin. The members of the council immediately thought all was lost. Thomas Fynglas, the chief justice, left Dublin secretly. The Chancellor, Lord Trimleston, warned the constable of the castle, Sir John White, that the city would be destroyed unless he opened the gates to the FitzGeralds. The Archbishop of Dublin endeavoured to escape to England, but was betrayed by one of his servants, and murdered by the rebels in the neighbouring village of Artane.[1] But the constable, who was one of a family long used to native warfare, and who owed personal enmity to Kildare on account of certain lands which had been taken from him by that deputy,[2] was not alarmed by a rising of the FitzGeralds, though accompanied by Burnell of Ballygriffin, De la Hyde of Moyclare, Gernon of Gernonstown,

[1] Holinshed's Chron. of Ireland; State Papers, Hen. VIII., vol. ii. xc. xcix.

[2] Calendar State Papers Ireland, 1509-1573, p. 18.

Parase of Agher, Walsh of Tigrohan, &c. He therefore held out the Castle of Dublin until reinforcements arrived from England. These, the English Government could not readily spare. The lower classes in that country, worked upon by Romish emissaries, were in a state of ferment; and it was not until the 17th of October that a body of troops, under Sir William Brereton, sailed into the harbour of Dublin, and that Sir William Skeffington landed as deputy.[1] The rebels, forced to raise the siege of Dublin Castle, retired into the fastnesses of Kildare, and continued to plunder the country.

Skeffington fell ill, and the troops, unaccustomed to the heavy rains and marshy soil of Ireland, were with difficulty got to stir out of its capital.[2] When they did so, they effected but little. On the 1st of December the castle of Kildare was taken by the Deputy; on the sixth, it was retaken by the Lord Thomas; and it was not until the 14th of March, 1535, that his stronghold of Maynooth was besieged, and taken, after a spirited defence.[3] The Lord Thomas was, however, still at large, and, looking forward to a summer campaign, was endeavouring to obtain succour from the Spaniard.[4] The

[1] State Papers, Hen. VIII., vol. ii., lxxviii. [2] Ibid., lxxxiv.
[4] Ibid., vol. ii., xcii. [5] Carew MSS., vol. i. p. 64.

Anglo-Irish, who, as a body, had refrained from joining him, also kept aloof from the Deputy.[1] Affairs in Ireland were becoming critical, and it was considered advisable by the English Government to come to terms with the Lord Thomas. For this purpose, Lord Leonard Grey, brother to the Earl of Kildare's second wife, was sent over, and he succeeded in inducing the Lord Thomas to surrender on condition of his life being spared, and every effort being made by the Council to prevent his father's property being forfeited.[2] The Earl of Kildare's five brothers followed this example. Thus ended a rebellion which cost the Government of England some 40,000*l.*, at a time when the revenue of Ireland did not exceed 4,000*l.* per annum.[3]

The king, in the vain hope of creating terror amongst the Anglo-Irish, broke the engagements which had been entered into by the Lord Leonard Grey and the Council of Ireland, ordered the Lord Thomas and his five uncles to be beheaded, and forfeited the lands of Kildare, who shortly before died in the Tower. But the advantages, if any, which resulted from this breach of faith were but temporary.

[1] State Papers, Hen. VIII., vol. ii., lxxix. [2] Ibid., ciii., civ.
[3] Ibid., notes to pp. 226, 331. Compare with Carew MSS. vol. i. pp. 117 and 200.

On the death of Skeffington, which took place shortly after, the lieutenancy was intrusted to Lord Leonard Grey, who appears to have been as impartial a Governor as Ireland ever possessed. He forced the Irish chiefs to cut roads through their lands, to pay tribute, and to maintain a suitable proportion of feudal levies.[1] He obtained the forfeiture of land belonging to English absentees, and thus added the counties of Carlow and Wexford to the jurisdiction of the crown.[2] But, as usual, the members of the Council sent unfavourable reports of the Lieutenant to England, and Brown, Archbishop of Dublin, a time-serving, avaricious man,[3] insinuated that the Lord Leonard Grey favoured the Papists.

The feelings which had been aroused in Ireland by this question of papacy were of a very anomalous description. It was supposed by the more ignorant that a new heresy had sprung up in England through strange sciences; that the king was styled head of the church in imitation of the Jewish nation, but that he was in reality far more like the pagan emperors of ancient Rome, partly owing to

[1] State Papers, Hen. VIII., vol. iii., ccxx., ccxliv.

[2] Irish Statutes, Hen. VIII. 28. The seigneury of Carlow belonged by inheritance to the Duke of Norfolk and Lord Berkeley, that of Wexford to Lord Shrewsbury. (See Appendix A.)

[3] State Papers, Hen. VIII., vol. iii., ccxix., ccxxv., ccxxvi.

the dissolution of the monasteries, partly to his having caused the image of the Virgin Mary at Trim, and the staff of Jesus which was at Dublin, to be burnt.[1] But the upper classes did not care much about the matter. The Irish Parliament had readily passed the Act of Supremacy[2] in 1537, and the bishops after a slight opposition had taken all the required oaths.[3]

The Lord Leonard Grey was so far a Papist, that, on instructions being forwarded to Ireland to suppress the monasteries, he had recommended that the abbeys of St. Mary's and Christchurch in Dublin; the nunnery of Grâce Dieu in the county of Dublin; and the houses of Conall, Kenlys, and Gerpont, in Kilkenny, should be spared, as they were the only schools for the Anglo-Irish, and ever afforded great hospitality on the meeting of Parliament in their respective neighbourhoods.[4] He was unable, however, to clear himself from the accusations brought against him by the members of his Council, by the Butlers, who hated

[1] Annals of the Four Masters, A.D. 1537. The staff of Jesus was said to have been given to St. Patrick by a hermit in the Etruscan Sea. It was originally kept at Armagh, and William FitzAndelm incurred the obloquy of the Irish by removing it to Dublin.

[2] Statutes of Ireland, A.D. 1537.

[3] State Papers, Hen. VIII., vol. iii., cclxii.

[4] Ibid., cclxix.

him from his being connected with the Fitzgeralds;[1] and, as was the custom of the times when the king's favour was lost, by his own servants. He was recalled in 1540, sent to the Tower, and beheaded.

In 1541 Parliament readily passed an Act recognizing Henry VIII. as King of Ireland, instead of Lord,[2] in order to prove to the world that he held Ireland by inheritance, and not as a grant from the Pope.[3] This Act appears to have been brought forward with great tact, and after careful negotiations with the principal men of the country both Irish and Anglo-Irish; and its passing was made a subject of public rejoicing.[4] The Earl of Desmond, the Lord Barry, the Lord Roche, &c., at once abjured the papacy, and *their* example was followed by most of the native chiefs, the principal men amongst whom also accepted English titles, on condition that the chieftainship, together with its appertaining lands, should be rendered hereditary in their families. Thus Mac Gilpatrick became Baron of Upper Os-

[1] State Papers, Hen. VIII., vol. ii., ccxxxv. ccxxxvii.; Carew MSS., vol. i. pp. 164-171.

[2] State Papers Hen. VIII., vol. ii. clxxxii., vol. iii. ccxxxiii.; Irish Statutes, 33 Hen. VIII., c. i.; Carew MSS., p. 171.

[3] See a curious document on this head extracted from the History of the Council of Trent, in Carew MSS., p. 251.

[4] Carew MSS., p. 183.

sory; O'Reily, Viscount of Cavan; O'Brien, Earl of Thomond; O'Neil, Earl of Tyrone.[1] In fact, the king's religious doctrines were readily accepted by the principal laity, together with his gifts of church lands, and in 1546 the Lord Chancellor, Sir Thomas Cusack, was enabled to write to Paget, the king's secretary, that "this lande was never, by our re-"membraunce, in so good case, ne nothing lyke for "honest obedyence."[2]

During the reign of Edward VI. the English Government was too much taken up with its own ecclesiastical affairs to pay much attention to those of Ireland. In 1550 the new Liturgy was ordered to be read in churches, and George Dowdall, Archbishop of Armagh, resigned his see sooner than comply. When Mary succeeded, Dowdall was reinstated, and the Archbishop of Dublin, together with a few other bishops, were deprived of their sees, because they were married men.[3] But beyond this the Reformation had as yet excited very little attention. If under Edward VI. any amongst the natives believed that by rising against the English they assured their salvation, under Mary that point

[1] Carew MSS., Rec. Com., vol. i. pp. 174, 184-187, 189, 195, 196, &c.

[2] State Papers, Hen. VIII., vol. iii. ccccxl.

[3] Ware, Lives of the Bishops of Ireland.

had become immaterial. In 1546 the O'Mores and the O'Conors invaded the neighbouring English territory, and in return Leix and Offaly were wasted with fire and sword. In 1557 they were again in arms, and Leix and Offaly were reduced to shire ground under the names of King's and Queen's Counties. Religious animosity was, however, soon to be added to hatred of race; and the succession of Queen Elizabeth, advantageous as it proved for the future prosperity of England, proved equally disastrous to that of Ireland. Her determination, not only to restore the supremacy of the crown in ecclesiastical matters in her own dominions, but also to encourage the reformed religion in Scotland and on the Continent, sowed the seeds of a bitter warfare in Ireland, which ended only with her reign. It is true, that, in spite of the example made by the utter desolation of Leix and Offaly,[1] the remaining septs were as ready as ever for a feud. The office of captain to each sept being still filled by election, induced every man of note to keep as many followers as he possibly could; and these could not be maintained

[1] "Our two countries of Less and Offally do yet remain unsta-"blished or unhabited, being planted only with our men of war, "whereby they lie waste without peopling, &c." Elizabeth to Sussex, Carew MSS., A.D., 1560, vol. i. p. 291.

without exactions and forays. "The son of any of "these captains shall not succeed his father except "he be the strongest of all his nation, and so war "continueth still. Also be divers petty captains "the which maketh war and peace for himself "without license of their chief captains,"[1] and the wearied lord deputy wished the whole island at the bottom of the sea.[2] But, divided and disunited as the Irish were, such internecine disputes little affected the interests of England, until Elizabeth, by her religious intolerance, united the whole nation against English rule.

The perpetual disaffection of the Irish had long attracted the attention of both France and Spain, and more than once had these powers brought pressure upon England by availing themselves of it. As far back as Richard II. we find the Irish deriving assistance from the Spaniards.[3] In 1496 the French had effectually prevented Henry VII. from prosecuting his intended expedition against France, by instigating the Anglo-Irish to rise in favour of Warbeck.[4] Charles V. of Spain, as a counterpoise to the alliance between Henry VIII.

[1] Carew MSS., vol. i. [2] Ibid., p. 302.
[3] Rot. Claus. Canc. Hib. 9 Ric. II., 18.
[4] Calend. State Papers. Venice, Rec. Com.

and Francis, endeavoured to foment a rebellion in Ireland on the plea that Henry intended to dispose of Ireland to his natural son, the Duke of Richmond.[1] In 1547 the French king had sent over the Baron de Fourquevaux, and the Sieur de Monluc to endeavour to raise the northern chiefs;[2] and when Elizabeth succeeded, the Earl of Surrey reported, "As "for that, if the French should set foot therein, "they should not only have such an entry into "Scotland as her Majesty could not resist, but also "by the commodity of the havens, and Calais now "in their possession, they should take utterly from "England all kind of peaceable traffic by sea, "whereby would ensue such a ruin to England as "I am afeard to think on."[3] That he should receive any assistance from any one in Ireland against the French, was a matter he did not even think worth while wasting time to consider. It is true that for the first few years of Elizabeth's reign, religion had in reality but little to do with this hostile feeling. But religious animosity is easily aroused, and becomes a powerful instrument when combined with self-interest; and, unfortunately, in that age no

[1] (1530) Carew MSS., vol. i. p. 42.

[2] Carew MSS., vol. i. p. 302; Memoirs of Sir James Melville, Bannatyne Club; Ed. VI., Journal in Burnet's History of the Reformation.

[3] Carew MSS., vol. i. p. 302.

monarch in Europe would allow his subjects to escape from the violent religious controversies which were creating distrust and disunion throughout the civilized world. Every one was forced to become either a Papist or a Protestant, and both sides were ready to prove the truth of their faith by the sword. Not that there was great difference of opinion between statesmen and scholars of either party. Roman Catholics, as well as Protestants, had for a long time objected to the church assuming temporal power, and to the doctrines of pardon selling, and of saint making. The whole Christian world had seen, with pain, a Pope at Avignon, one at Pisa, and one at Rome; each declaring himself to be the representative of St. Peter. It had seen solemn councils of churchmen assemble at Constance and at Basle, which declared themselves superior to the Pope, and recorded the necessity for a reformation. When, therefore, printing disseminated everywhere the opinions of men, known to Europe as conscientious students in divinity, no one was surprised at seeing a religious revolution break out. In England, Henry's severe enactments stemmed the tide for a time, and his denial of the Pope's supremacy made no great impression, for it was an old law of the land, that a Papal Bull was of no value

unless endorsed by the king.[1] France had perhaps taken as great a step a century before, when it had adopted the Pragmatic Sanction. It was natural, therefore, that the Roman Catholic world should have looked forward to the death of Henry VIII. as the termination of all differences between the crown of England and the papacy; but the zealous manner in which Somerset and Cranmer, on the accession of Edward VI., supported a reform in the Church Service, aroused the bitterest animosity of the Papists. Marvellous as was the wisdom which these English reformers displayed in carrying out their arduous task, they were unable to overcome the distrust which had been created throughout Europe by the outrages of the Anabaptists. Rome had ably turned this to account, and her defenders pointed to the see of St. Peter's as at least the emblem of civil order. Minds became confused. Great and good men advocated not only a reformation, but also a separation. Great and good men thought that if the Church had erred, breaking up its unity was a graver error still. But, as usual, the masses would be swayed only by the violent and the turbulent. Before long all Papists were looked upon as heathens and worshippers of images; all Protestants as firebrands and heretics. Both sides resorted to perse-

[1] Statutes of the Realm, 25 Ed. I., 17 Ed. III.

cution. Where the Catholic ruled, the Protestant was burnt; where the Protestant ruled, the Catholic was hanged: and, as usual, the oppressed became the terror of the oppressors. The unfortunate part which England played in this religious intolerance is but too well known. Henry VIII. sent to the block those who denied his supremacy, or who read the Scriptures.[1] Somerset considered that the prayers prepared by his divines could be the only ones fit for salvation, and ordered that whoever was present at any other form should be imprisoned for six months the first offence, twelve months the second, and during life for the third.[2] Mary, repealing all her brother's and father's acts, sent the reformers to the stake. Elizabeth repealed Mary's repeals, and enacted that the recognition of the Pope's supremacy should be a crime worthy of præmunire,[3] and its repetition high treason. Attend-

[1] In the injunction to the clergy by Cromwell, 32 Hen. VIII., it is ordained that an English Bible be placed in every church for the use of the parishioners, and that on no account was any man to be privily discouraged from reading it (Records to Burnet's Hist. Reform., B. iii. No. xi.), yet in 34 & 35 Hen. VIII., c. 2, it is commanded "that the "Bible shall not be read in English in any church, and that no woman "or artificer, apprentices, journeymen, serving men of the degree of "yeomen, or under, husbandmen, or labourers, shall read the New Testament in English."

[2] 5 & 6 Ed. VI., c. 1; His Majesty's Declaration, A.D. 1562; Book of Common Prayer.

[3] 5 Eliz., c. 1. By 16 Ric. II. c. 5, reference to the Court of Rome

ance at mass was punished by a fine of 200 marks and twelve months' imprisonment; whilst not to attend the Church of England prayers was to be liable to a fine of 20*l.*, until, at the end of twelve months, the culprit became bound in 200*l.* till he conformed. As to the unfortunate priest, his remaining in the realm subjected him to the penalty of high treason, and to conceal him was death, without benefit of clergy.[1] But the inhabitants of Ireland could see no attraction in the doctrines of the Church of England; for there was no perceptible improvement in its clergy in that country. In the report which was made to Henry VIII., in A.D. 1515, respecting the state of Ireland, it is distinctly stated that neither archbishop, bishop, abbot, prior, parson, vicar, nor any other person in the Church, high or low, great or small, English or Irish, with the exception of the begging friars, preached the Word of God.[2] After the Reformation, the majority of the Irish bishops still looked

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in defiance of that of England, placed the pursuer beyond the protection of the crown, and forfeited his lands.

[1] 27 Eliz. c. 2. This law was made still stricter in 35 Eliz., and popish recusants convict were not to go more than five miles beyond their dwellings under forfeiture of lands and goods. A recusant was one who abstained from the Established Church without lawful excuse.

[2] State Papers, Hen. VIII., vol. ii.

on their sees only as pecuniary investments; the clergy were as degraded and slothful as ever; the churches were in ruins; and the friars from Salamanca and Rheims alone preached to an ignorant people concerning a future state, and with it they ever connected respect for Rome.[1] Besides, the greater mass of the Irish were still totally uncivilized. In spite of the close intimacy which had more or less existed between them and the Anglo-Irish, it had ever been impossible to induce the natives to understand even the progress which other nations were making. The Maccarteys, and a few other southern septs, who dwelt in the very midst of the Anglo-Irish, had been induced to conform to some extent; but wherever the natives could gather together, and live as their forefathers had done, nothing would induce them to live otherwise. Some few chiefs had, out of necessity, erected castles. We read of an old "fort" called Derry, and another called Belfast; of Longford, as a castle of the O'Farrells; of Cavan, a castle of the O'Reillys; of Ballyduff (now Lifford), a castle of the O'Donnells; but throughout Leix and Offaly, throughout all Irish Ulster, an incorporated town was unknown.

[1] History of the Established Church in Ireland, by Dr. Mant, D.D., Bishop of Down and Connor, vol. i. pp. 279—322; Sir Henry Sidney's State Papers, p. 4.

We may hear of a FitzPatrick as an intelligent nobleman intimate with Edward VI.; but he was a solitary exception. O'Neil, first Earl of Tyrone, could not sign his name;[1] and when his son Shane visited London to make his submission to Elizabeth, Cecil urged that he should change his garments, and go like a gentleman.[2] Hooker gives a curious description of two chieftains of the O'Connors, in 1583, combating in the yard of Dublin Castle, before the Privy Council, "like two gamecocks in a cockpit."[3] Moryson, an intelligent gentleman, who had travelled much over Europe, tells us that the Irish gentry still lived on their tenants, sleeping on the ground around the fire, and rejoicing in usquebaugh, whilst their followers dwelt in hovels, and boiled their cows' flesh in a seething pot, which they skimmed with a wisp of straw.[4] Spenser, well acquainted with the country, describes the Irish horseman, with his long hose, his riding-shoes of costly cordewain, his haqueton and habergeon, as a type of Chaucer's Sir Topas when he went to encounter the giant: and the kern

[1] State Papers, Hen. VIII., vol. iii., cccixix.

[2] Calend. State Papers, Ireland, 1509-1573, p. 188.

[3] Hooker, p. 445.

[4] Moryson, Hist. Ireland, A.D. 1599—1603. He was secretary at the time to the Deputy, Lord Mountjoy.

as wearing the saffron-dyed shirt of the days of Cambrensis, and matted locks which were "as fit masks as a mantle for a thief."[1] To enter a neighbour's territory suddenly, burn his dwelling, and steal his cattle, was the sole ambition of chief or follower, whose fierceness and activity seem to have been like those of the Kaffir.[2] Towards a people in this condition the Government should have maintained a severe but just policy, and anxiously endeavoured to remove all unnecessary cause of strife. Elizabeth's instruction to her deputies advocated such a theory,[3] but they found it impossible to put it into practice; for if she recommended the maintenance of order and the dispensation of justice, it was order and justice according to her own views. She was determined that her Irish subjects should become Protestants, but they would not obey her, and nothing would induce her to give way. She

[1] Spenser's View of the State of Ireland.

[2] The Lord Deputy and Council writing to Henry VIII. respecting Tirlogh O'Toole, a Wicklow chief, describes him as having neither a house to *put his head in nor money* in his purse to buy a garment with, and yet that he could command at any time two or three hundred followers, and did more harm than any other man in Ireland.—State Papers, Hen. VIII., vol. iii. ccexxix. Sir John Harrington, half a century later, could only attribute the marvellous escapes of Rorie Oge Moore to witchcraft.—Harrington's Orlando Furioso, A.D. 1634, p. 94.

[3] Instructions to Sir John Perott and Lord Grey de Wilton in Lodge's Desiderata Curiosa Hibernica.

preferred war; but war was a costly argument,[1] and Elizabeth was not fond of expending money; and the Deputies, unable to obtain the necessary supplies from the English treasury, had no other alternative than to exact cess.[2] Sir Henry Sidney,[3] Sir William Fitzwilliam,[4] Lord Grey de Wilton,[5] Sir John *Perott*,[6] in fact, all the governors of Ireland during her reign, explained to her that she might exterminate the Irish, but could not make them Protestants. She was told that they were ignorant; that they had no able preachers, often no preacher at all; that, like all ignorant people, they were attached to old customs and ways; that the Anglo-Irish in this respect did not differ from them; and that she would finally drive the whole people to unite in self-defence. These representations were most ably supported by Sir William Cecil[7] and Sir Francis Bacon,[8] who, in carefully-

[1] The cost to the crown of maintaining Ireland between April, 1555, and October, 1565, was 255,423*l.*, of which Ireland contributed only 30,589*l.*—Carew MSS. vol. i. p. 373.

[2] Sidney's State Papers, vol. i. p. 280; Cabala, p. 311; Lord Grey de Wilton to Burleigh, A.D. 1581, Murdin's State Papers; Sir John Davis, Hist. Tracts, p. 58; Egerton Papers, Camden Soc., p. 66; Holinshed, Chron. of Ireland, A.D. 1576.

[3] Sir H. Sidney, deputy, 1557—1558, 1565—67, 1568, 1575—1578.

[4] Sir W. Fitzwilliam, deputy, 1559, 1561, 1571—1575, 1588—1594.

[5] Lord Grey de Wilton, deputy, 1580—1582.

[6] Sir J. Perott, deputy, 1584—1588.

[7] Somers' Tracts, vol. i., p. 164.

[8] The Cabala, p. 48.

considered reports, advised concession. But it was all of no avail; Elizabeth's haughty temper could ill brook contradiction, and, besides, to a Papist she was but a Bastard; she therefore preferred the destruction of her Irish subjects to recognizing their freedom of religion.

But these wars of religion throughout Europe had also given rise to a curious freemasonic feeling. Men were no longer asked of what country they were, but of what creed; and this new distinction had given birth to a remarkable class. Men of good family, with feelings soured by party factions, with intellects sharpened by intercourse with various nations, and reckless from frequent misfortunes, wandered about the world, ready to enter into any political adventure or conspiracy. Ireland furnished perhaps a larger quota of these than most countries, for, devastated as it was, many a gentleman had nothing besides his sword and his wits to look forward to, and attracted by the tales of friars brought up in Spain or Belgium, readily sought their fortunes abroad. There, looked upon as refugees seeking liberty of conscience, they found assistance and encouragement from ministers who were goading, at the same time, many an honest subject into a similar course. Such men were the terror of the

English Government. If priests, they preached rebellion as a religious duty. If chieftains, they brought to bear the knowledge they had acquired in statecraft and in the use of arms, from the Spaniards. If mere adventurers, they acted as spies or political agents, and were the more dangerous that their family connections frequently ramified into those most intimately connected with the Government.

Prominent amongst the Roman Catholics in Ireland were the FitzGeralds of Desmond, who lived in haughty retirement within their palatinate. Frequently summoned to attend the deputy in his wars, they but seldom obeyed, and when they did, they brought with them the smallest force they could, and returned to their country as soon as possible.[1] Complaints naturally followed. They were accused of making raids on those loyal to the crown and of their harbouring traitors.[2] But a FitzGerald might be loyal and yet an enemy to the O'Brien. The Earl of Thomond had been taken under the protection of the deputy, but he was a Butler by "faction,"[3] and the Earl of Desmond had invaded Thomond. As to traitors taking refuge in the

[1] Carew MSS., vol. i. p. 372.
[2] Ibid.
[3] Ibid., p. 389.

wilds of Kerry, even at the present day it is not so easy to hunt them down in that county. Then these great earls claimed service, rent, and cess, from most of the barons and chieftains within their territory. There was the Lord FitzMaurice of Kerry, the Lord Great Barry, the young Barry, the Red Barry, the Lord Roche, the Viscount of Decies, the MacArty Reagh, the O'Sullyvan More, the MacDonough, and the O'Callaghan, &c., each affording a fruitful source of strife. It was not, therefore, difficult to find ground for quarrel with the Earl of Desmond. He claimed palatinate jurisdiction over the FitzGarrets of the Decies. The Deputy denied that it extended beyond the counties of Cork, Limerick, and Kerry.[1] Elizabeth directed her Deputy to disregard the palatine rights of the then Earl, Gerald FitzJames, altogether, but her Protestant doctrines were being enforced at the same time, and the earl was a rigid Catholic. It was not long, therefore, before he became convinced that these attempts on his privileges and religion were but merely different forms of dispossessing him of his property. The Earl of Ormond[2] was also a palatine. He also exercised jurisdiction over many barons who would

[1] Carew MSS. vol. i. p. 371.

[2] The tenth earl, his father, second Lord Ossory, was restored to the earldom of Ormond in 1541.

much have preferred seeing his power at an end. Thus we read of the "Baron of Loghmaye, chief of "the Purcells in Tiberarye, a follower of the Butlers "by force;" and of a "James Tobyn,[1] the Lord of "Comshynagh, a follower to the Butlers against "his will."[2] But Ormond was a Protestant, and there appeared to be no desire to deprive him of his privileges. Elizabeth, in defending her policy, said that the Geraldines were a lawless set, yet the Butlers paid no more obedience to the laws.[3] In 1565 the two earls were summoned to England to be examined by the Privy Council as to the cause of the feuds which were devastating Munster. The Council was unable to come to any conclusion.

[1] Corruption of St. Aubyn.

[2] Carew MSS., vol. i. p. 389.

[3] "The taking of coyne and livery upon other men's lands is treason, "which penalty is so great, and the offenders therein being many, and "the fault common, the law is in no part executed when no man hath "commodity thereby," wherefore the Earl of Sussex, after a seven years' experience, advised that, "for the government of the English, "laws must be provided, fit and sufficient, and be put in print. As "the laws are many, it will be necessary for them to be perused before "they are printed. Some laws are fit to remain in force, some must be "repealed, and some altered and qualified, and where lack is, new ones "must be added; for the doing whereof, it will be necessary to have a "parliament. All the acts should be abridged and sent into England to be "there considered." And he further recommends that "the Brehons "may be admitted to plead before the Governor and Council in all con-"stitutions after the order of them, and in other matters after the "order of the Brehon law or allowed customs, and to have fees to be "appointed for their travail."—Carew MSS., vol. i. pp. 340, 341.

Nevertheless Elizabeth referred the matter to the Lord Deputy, then Sir Henry Sidney, and the Commission, empowering him to inquire into the matter was so decidedly hostile to Desmond, that the Lord Deputy declined the task unless he obtained the co-operation of other Commissioners.[1] In 1568 the influence of the Earl of Ormond, however, finally prevailed, the Earl of Desmond was committed to the Tower, and only released on finding sureties for a bail of 20,000*l.* and undertaking not to leave England.[2] But the Earldom of Desmond, like the captaincy of the O'Neils, to the minds of his adherents, only represented an office. The Geraldines at once elected as their temporary chief a kinsman of the earl's, James FitzMaurice.[3] He sent emissaries to Rome and to Spain, raised all Munster, and being driven out of that province by Sir John Perott, organized a fresh rebellion throughout Connaught and Ulster, which was carried on till 1573, when it was deemed advisable to allow the Earl of Desmond to return to Ireland in hopes that his influence might put an end to the rebellion But even then Elizabeth, true to herself, would no allow of his release until he had pledged himself to

[1] Sidney, State Papers, vol. i. p. 41.
[2] Carew MSS.; Holinshed's Chron. of Ireland. [3] Appendix C.

her supremacy.[1] The difficulty, however, with which this rebellion was put down further encouraged the Roman Catholic party. Popish emissaries swarmed over the country, and James FitzMaurice, repairing to the Continent, used every exertion to obtain assistance towards a fresh attempt. The English Government meanwhile was adding to the causes of discontent, by repeated arbitrary levyings of cess by the Deputy. In 1576, the Anglo-Irish, driven to desperation, sent a petition to Elizabeth, pointing out that such a course was contrary to the law of the land. The messengers were committed to the Fleet, and orders were sent to Dublin to arrest the petitioners, amongst whom were the Earl of Desmond, the Lords Trimleston, Baltinglass, Delvin, and Howth, if they persisted in stating that the levying of cess was against the laws and customs of the realm.[1] This reply only further irritated men ruined by a religious warfare, and who had been brought up in the belief that free men could not be taxed, except by their own consent. In 1579 James FitzMaurice having obtained the Pope's blessing, and a promise of immediate assistance from Spain, landed in Kerry in the month of July, with

[1] Carew MSS., vol. i. p. 430.

[2] Egerton's Papers, Camden Society, p. 66; Holinshed's Chron. of Ireland, A.D. 1576.

some eighty Spaniards. The Geraldines once more flocked to the standard of their former leader, and on his death, which took place shortly after in a foraging affray, they chose John FitzJames, brother to the earl. This latter nobleman, in order to throw the Government off its guard, had on the first news of this rising presented himself before the Deputy, and left his son as a hostage; but the defeat of John FitzJames with considerable loss, forced him at last to throw off the mask, and to assume the command. Simultaneously James Eustace, Lord Baltinglass, raised the Irish of Wicklow, Wexford, Carlow, King and Queen's Counties, and defeated the Lord Deputy, Grey de Wilton, in the fastnesses of Glendalough; whilst a body of seven hundred Spaniards landed in Kerry.

But the confederates had badly organized their forces. Their Spanish allies, obliged to throw up a small earthwork on the coast, were, after a short investment, forced to surrender at discretion, and were put to the sword. The territories of the Earl of Desmond were declared forfeited, and partitioned amongst the Queen's favourites. The earl himself, after having been driven from one fastness to another, was finally murdered in 1583, in the wilds of Kerry, by a gang of marauders. This event put an end

for a short time to the efforts of the Roman Catholics, but they were soon renewed with greater vigour than ever.[1]

The Government, in hopes of finally reducing the Irish to obedience, had for some years been endeavouring to form "shire ground" throughout the country. In accordance with this plan, Sir Henry Sidney, in 1565, divided the province of Connaught into the counties of Clare, Galway, Sligo, Mayo, Roscommon, and Leitrim; and the same year the territory of Annaly became the county of Longford. In 1585 Sir John Perott, following up this policy, issued a commission for the purpose of dividing Ulster in the same manner. Anxious to obtain the co-operation of the principal chiefs, he appointed them members of the commission. So far, however, from these native commissioners affording assistance, they placed every obstacle in the way of the commission, and not one of the reports bore their signature.[2] The fact was, they had found that, to be the O'Neil or the O'Donel, was a far more certain way of obtaining the land and tribute attached to these chieftainries than an English earldom. Their people

[1] Holinshed's Chron. of Ireland; O'Daly's History of the Geraldines; The Four Masters; Lodge's Peerage of Ireland, revised by Archdall.

[2] Inquis, Rot. Canc. Hib., vol. ii.

considered the captaincy simply an office held for life or during their pleasure, and looked upon the acceptance of an English title as a mark of degeneracy; they therefore refused to acknowledge their chiefs' right to bequeath land which should belong eventually to the then Tanist, and these points were strongly urged upon them by popish emissaries, who argued that this creation of shire ground was but another blow aimed at their religion. But in 1590, an opportunity afforded itself of organizing shire ground in a portion of Ulster by force, and the then Deputy, Sir William Fitzwilliam, proved a fitting instrument for the purpose.

Rossa MacMahon, chief of Monaghan, had been induced to surrender his lands to the crown, and to receive them again according to the English tenure, on condition of the inheritance being granted to his brother, Hugh Roe MacMahon, in case of Rossa dying without issue. In 1590 this event occurred, and Hugh Roe claimed the inheritance according to the patent. The Lord Deputy demanded a fee of six hundred cows, and though this was refused, he stated his intention of proceeding to Monaghan to settle Hugh Roe in his inheritance. Received as a guest by the chief, Fitzwilliam, in breach of all laws of hospitality, caused his host to be tried by a jury

of soldiers for some predatory expedition undertaken two years back. The MacMahon was condemned to death, executed, and his territory declared shire ground, under the name of the County of Monaghan.[1]

Whilst the Ulster chiefs were still smarting under the recollection of this judicial murder, Hugh O'Donel, son of the chieftain of Tyrconnel, a youth who had been seized by stratagem in 1587, by order of the then Deputy, Sir John Perott, and confined ever since in Dublin Castle, effected his escape. Hugh, during his long imprisonment, had imbibed the bitterest hatred against the English race, and no sooner had he reached Tyrconnel than he earnestly called on his countrymen to rise. The O'Donel summoned his followers together, including the O'Boyles, MacSweeneys, and O'Doghertys, but enfeebled by age, resigned the chieftainship, and obtained their sanction to the election of Hugh, who, on being installed, invaded the neighbouring English territory. His example was soon after followed by the MacGuire, and the insurgents sought the assistance of Hugh O'Neil, Earl of Tyrone. But this chieftain, whether he was unprepared, or

[1] Fynes Moryson, Hist. of Ireland; Camden, Britannia; The Four Masters, A.D. 1589.

whether he was desirous of awaiting the course of events before he committed himself, kept aloof until A.D. 1594, when, receiving intelligence of the intention of the Government to occupy his country, he joined the O'Donel. The rebellion now became formidable, for the O'Neil, who then ruled over Tyrone, was a host in himself. His father, Matthew O'Neil, an illegitimate son of the first Earl of Tyrone, had, contrary to English custom, been recognized by Henry VIII. as heir to the earldom, and created, in consequence, Baron of Dungannon. But Tyrone's eldest legitimate son, Shane, had caused Matthew to be murdered, himself elected as chief, and subsequently created Earl of Tyrone by Elizabeth. On the death of Shane, who was slain in an affray with the MacConnels of Clandeboy in 1567, his uncle, Tirlogh Lynnogh O'Neil, was elected chief. Hugh took service under Elizabeth, distinguished himself against the Fitz-Geralds of Desmond, was created Earl of Tyrone in 1585, and, after a contest of some years with Tirlogh Lynnogh, got himself recognized as chief of the O'Neils. But, like other Irish chieftains, he had no faith in the honesty or justice of the English Government. It was but a few years before, that a Lord Deputy, unable to overcome

Shane O'Neil, had tried to get him murdered. Tyrone, therefore, looking forward to the probability of a contest with the Government, had, shortly after obtaining his earldom of Tyrone, got permission to levy six companies of infantry for the maintenance of order in his country. These he constantly filled up with fresh recruits, so as to accustom all his people to discipline and the use of fire-arms, and being aware of the necessity, in such a case, of an ample supply of provisions, he appears to have caused every available spot to be tilled, and the Irish, with all their love of feud, had become not unskilled farmers. "It seems incredible," says Moryson, speaking of Leix, "that by so barbarous "inhabitants the ground should be so manured, the "fields so orderly fenced, the town so frequently in-"habited, and the highways and paths so well "beaten as the Lord Deputy here found them."[1] Ulster did not possess many towns or roads, but it contained fertile spots which grew much corn, and its recesses inclosed vast herds of cattle. If Tyrone, however, was a skilful soldier, he was a still abler politician. Aware that there was no chance of success without a carefully-organized insurrection of the whole Roman Catholic community of Ireland, he

[1] Life, Sir John Perott, p. 96.

succeeded in surmounting the almost insuperable difficulties which such a project presented. The dissensions amongst the septs inhabiting the north of Ireland had hitherto been the chief source of strength of the English Government in that quarter. The O'Neil claimed suzerainty over the O'Donel, which the latter ever declined to recognize. Then the MacConnells, better known at the present day as the Macdonalds of the Isles, were constantly endeavouring to extend their settlements in Ulster as their numbers increased by fresh emigrations from the isles. Tyrone not only united all these discordant elements, but completely baffled the English Government by the manner in which he got the Anglo-Irish to cordially co-operate with their Celtic co-religionists. He induced the MacWilliam Burghs to forget the animosity which had existed for ages amongst themselves and with the O'Donels. At his solicitation the Geraldines of Munster once more rose, and appointed James FitzThomas of Desmond as their earl. Even some junior branches of the Butlers were won over by him, and he also obtained large supplies of money and of arms from Spain. The English Government, in hopes of checking this rebellion at the fountain head, directed its main efforts against O'Neil. But Ireland was still a country of

rugged mountains, extensive forests, and still more extensive bogs. In Munster were the great woods of Damfymnen, Arnough, Kilbogley, Conala, and Glenflesk. In Leinster were the fastnesses of Glandilore, Shiloghe, the Dromes, and Leveragh; the bogs of Tougher, Munstereven, Gallin, and Slymarge.[1] Ulster was still as wild as in the days of John de Courcy. When, therefore, English armies were led into Ireland, even though commanded by the best English leaders, they only learnt the old lesson, that constant warfare will teach even a barbarous enemy the art of war. Sir Conyers Clifford, Sir John and Sir Thomas Norris, Sir Henry Bagnal, the Earl of Essex, were defeated one after the other. The Government, unable to put down this rebellion by force, made several attempts to come to terms with O'Neil. But one great stumbling-block ever stood in the way of peace—the free exercise of the Roman Catholic religion. The Irish were not supposed to have a religion. "Thou talk about reli-"gion," said Essex to Tyrone in 1599, when the latter made that a basis for peace; "hang thee up! "thou carest for religion as much as my horse."[2]

[1] Dymmock, Treatise on Ireland.—Irish Arch. Soc.

[2] Birch's Memoirs of the Reign of Queen Elizabeth, p. 452.

The English Privy Council were equally incredulous. In hopes of bringing back the Geraldines to their allegiance, the seventeenth Earl of Desmond, who had been retained a prisoner in England since the death of his father, was in 1600 sent into Munster.[1] On a Saturday he entered Kilmallock, an ancient stronghold of the family, amidst the acclamations of numerous retainers. On the Sunday he attended divine worship at the Protestant church, and was henceforth a stranger in his own country. The Geraldines had rejected him, and adhered to James Fitzmaurice; and so strong was this attachment, that on the Sugan or Straw Earl,[2] as he was termed in derision by the English, being taken prisoner the following year, and condemned to death, it was thought advisable not to carry out the sentence lest another Roman Catholic chief should be elected. At last, in 1601, three thousand Spaniards landed at Kinsale, and England found it was necessary to exert her utmost power. Lord Mountjoy, then Deputy, succeeded in enclosing the Spaniards within Kinsale; defeated O'Neil with great loss in an attack which that chief made at the

[1] Letters of Sir Robert Cecil to Sir George Carew, 11th July, 1600.—Camden Soc., 1864.

[2] Appendix C.

urgent request of his allies, though against his own judgment, and then forced the Spaniards to surrender. But O'Donel at once sailed to Spain for reinforcements, and O'Neil continued in insurrection until 1603, when, after years of warfare, and enormous loss of life, and the expenditure of two millions sterling of that day, the rebellion was extinguished, not because O'Neil was conquered, but because his resources were exhausted. Ireland was a desert. Young men were found dead in the woods, with their mouths filled with green froth from the grass they had fed on, and young children were seen devouring the dead bodies of their mothers. Yet so well had O'Neil concealed his weakness, that Lord Mountjoy was glad to end the war by allowing each chieftain to retain his own inheritance intact. Such were the results of a policy which had reduced Elizabeth's subjects in Ireland to her army and Privy Council, on the latter of which she even could not always rely.[1]

[1] Annals of Ireland, by the Four Masters, edited by O'Donovan; Sir John Davis's Historical Tracts; Moryson's History of Ireland 1599—1603; Pacata Hibernia; O'Sullivan Beare, Hist. Cathol. Iber.; Collins's Letters and Memorials of State, London, 1746; Life of Hugh Earl of Tyrone, by J. Mitchell, 1846.

## CHAPTER IV.

### THE REBELLION OF 1641.

THE Earl of Tyrone had scarcely submitted when the death of Elizabeth once more aroused the hopes of the Roman Catholics, for her successor had freely encouraged the notion that the Church of Rome would not meet with any very formidable opposition from him. De Beaumont, the French ambassador, had so informed his royal master. Pope Clement VIII. firmly believed in it. The English Roman Catholic gentry were full of it.[1] No sooner, therefore, was James proclaimed King of England and Ireland, than Cork, Waterford, Wexford, and other important cities returned to the old faith. To their surprise they were informed by the Lord Deputy Mountjoy, "that he marvelled at their

[1] Narrative of the Gunpowder Plot, by Jardine, 1857.

simplicity;"[1] and the new king was not long in making known his real feeling on the subject. In the very first year of his reign, not only were all the statutes of Elizabeth against Popery confirmed, but additional Acts were passed, which rendered the rights of Papists to their property more insecure than ever.[2] As for the native Irish there was a greater blow inflicted on them than even the loss of their religion. Tanistry and gavelkind were abolished, and sheriffs appointed to keep the king's peace amongst the O'Neils and O'Donels. The chiefs of those septs would willingly once more have declared war in defence of their native rights, but their resources were exhausted. Meet the king's sheriff in what had once been their countries they could not, and they emigrated. The satisfaction given to the Court of England by this unexpected step was unbounded. Just previous to their flight, a perfect panic had prevailed. It was most firmly believed that Tyrone intended at least murdering the Council of State in Ireland, and extirpating all of English blood from that realm: suspicions resulting from fear and cupidity. Nothing was ever proved concerning any conspiracy on the part of

[1] Moryson, Hist. of Ireland, 1599—1603.
[2] Statutes of the Realm, 1 James I.

either the O'Neil or the O'Donel;[1] yet no sooner had they emigrated, than their territories were declared forfeited.

Some years before, Lord Burleigh had suggested that as districts became confiscated, instead of their being divided between the rapacious followers of the Court, English colonists should be encouraged to emigrate thither. The Earl of Desmond's property, and that of the O'Conors and O'Mores, had fallen to Sir Christopher Hatton, Sir Walter Raleigh, Sir William Courtney, Sir Richard Molyneux, Sir George Bourchier, Sir Everard Fitton, Sir Valentine Browne, Sir William Herbert, Sir Walter Luson, and a few others;[2] most of whom soon sold their portions, and the greater part of the purchasers being English papists, had added thereby considerable strength to the Irish Roman Catholic community. When the county of Monaghan was formed the peculiar nature of that transaction had made it necessary to divide it amongst the actual inhabitants, many of whom were connected by blood with the attainted chief. The principal landowners

[1] Sir John Wood to the Earl of Shrewsbury, No. lxxxviii.; Sir George Chaworth to ditto, No. lxxxix.; the Earl of Salisbury to ditto, No. lxxxiv. xciv.—Lodge's Illust. of British Hist., Reign of James I. Fate and Fortunes of Hugh O'Neill, Earl of Tyrone, &c., by Rev. C. P. Meehan. Dub., 1868.

[2] Stow, Annals, p. 718; Moryson, Hist. of Ireland, vol. i. p. 10.

held of the crown by knight's service *in capite*, paying yearly for every tathe[1] of land 7*s.* 6*d.* or ½ds per acre; and furnishing a certain number of horse and foot when called on. The inferior holders held in common soccage of her Majesty's castle of Monaghan, at the rate of 20*s.* per tathe, 7*s.* 6*d.* of which went to the crown, and 12*s.* 6*d.* to the superior lord. When, however, it was determined to uproot the native influence in Ulster it was decided to bestow all the principal properties upon Protestants, who were to be bound to build castles and maintain a sufficient force to keep their immediate neighbourhood in order. The plantation, as it was termed, was to consist of English or Scotch settlers, who were to plant their portion with English or inland Scottish inhabitants; of servitors in the kingdom of Ireland, who might take mere Irish, English, or inland Scottish tenants; lastly, of Irish who, separated as much as possible from one another, were made freeholders. Careful surveys were made of all forfeited lands; some were reserved for the church, the University of Dublin, the free schools to be formed in the several counties, and for the endowment of a military hospital;

[1] Survey of Monaghan; Inquisitio Canc. Hib., vol. ii. p. 21. A tathe was sixty acres; sixteen tathes made a ballybetagh or townland.

besides provisions for the mothers of the late Earl of Tyrconnel, of the MacGuire, and many others claiming jointures, the reversions of which were to go to the natives: the remainder was distributed by lot. The first class of allottees obtained their estates in fee farm, paying a yearly rate of 6*s.* 8*d.* for every sixty English acres. A proprietor of two thousand acres was to hold by knight's service *in capite*, and build a castle with a fortified enclosure, termed a "bawne," about it; a proprietor of one thousand five hundred acres to hold by knight's service of the Castle of Dublin, and to build a stone or brick house with a "bawne" about it; a landholder of one thousand acres to hold by common soccage and to build at least a "bawne." All settlers, whatsoever their degree, were to have in their houses arms sufficient to furnish a competent number of men, who were to be mustered every half-year. They were also to take the oath of supremacy, conform themselves in religion to his Majesty's laws, and not alienate any part of their estate to the "Meer Irish."[1]

These stipulations were willingly accepted by influential individuals, and some of the London

[1] Inquis. Rot. Canc. Hib., vol. ii. "King James I's project for the "division and plantation of Ulster," in Harris's Hibernica.

corporations; and when, a few years later, a survey was made of the several territories which had been allotted, we find the new settlers fully prepared to stand their ground. Sir James Hamilton, ancestor of the Abercorn family, had erected a castle upon five crossways, fifty feet by twenty-five, five stories high, and flanked with four towers, the bawne surrounding it being eighty feet square, flanked by two towers fifteen feet square. The late ruinated city of Derry, as it was then termed, which had been bestowed on the City of London, had, under the name of London Derry, become a regular fortress with nine bulwarks and two half bulwarks, the ramparts of which were twelve feet thick, although there were but ninety houses within the town. Sir William Cole, ancestor of the Earls of Enniskillen, had begun another fortified city round the Castle of Enniskillen, a former stronghold of the MacGuires, and Sir Arthur Chichester, from whom descends the Marquis of Donegal, was imitating him at Belfast.[1]

When the new counties were finally settled, it became necessary that the several measures which had been carried out should be acknowledged by

[1] Pynnar's Survey of Ulster in Harris's Herbernica. He was appointed by the Government to see that the settlers carried out the stipulation they had entered into.

Act of Parliament. But this was a matter of difficulty. The counties created in the reigns of Mary and Elizabeth had increased the number of Roman Catholic knights of the shire, and the addition of these northern counties, in which the freeholders of Irish blood strongly predominated, could only give additional strength to the papal cause. It was, therefore, necessary to neutralize this power by creating boroughs entirely in the interest of the crown; but the difficulty was to find an assembly of houses of sufficient importance to be termed a borough. Nevertheless, James overcame this obstacle by creating forty boroughs.[1] This measure roused the whole Anglo-Irish gentry, for it made them suspect that some special Act was to be passed to jeopardize their position.[2] A petition was, in consequence, laid before the king, from the Lords Gormanston, Trimbalstown, Dunsany, Slane, and Louth, praying "his Majesty would not create "towns and corporations of places consisting of

[1] These were Belfast, Armagh, Charlemont, Carlow, Cavan, Belturbet, Ennis, Mallow, Bandon Bridge, Baltimore, Clonakilty, Lifford, Ballyshannon, Newry, Killeleagh, Bangor, Newtown, Dublin College, Newcastle-juxta-Lyons, Enniskillen, Tralee, Carrick-on-Shannon, Askeyton, Londonderry, Coleraine, Newtown-Limavady, Castlebar, Mouaghan, Ballynakill, Boyle, Sligo, Dungannon, Strabane, Agher, &c., &c.

[2] Sir Patrick Barnwell to Christopher D'Arcy, 16 July, 1612; Desiderata Curiosa Hibernica, vol. i. p. 164.

"some few and beggarly cottages, but would wait "until timely traffic and commerce made places in "the remote and unsettled country there fit to be "incorporated." No notice was taken of this very sensible petition, and a Parliament, which included two representatives from each of these new boroughs, was summoned to assemble at Dublin Castle A.D. 1613. Both sides prepared for the contest. The Government tried every kind of fraud and intimidation. The Opposition, encouraged by the priesthood, who were alarmed lest some fresh penal law should be passed, determined to support no man who repaired to the Established Church.[1] In Dublin the Government candidates were returned by the mayor without a poll, although one was demanded. In Carlingford they were returned because they had as many voices as the Opposition. In Cavan they were returned although they had fewer votes than their opponents. In Armagh the Irish freeholders were debarred from entering the election room.[2]

[1] "Upon examination of many of the natives, it is confessed they "agreed not to choose any that repaired to church, and that the Jesuits "and priests so directed and advised. This was a general combination "of the natives; the reason of the conspiracy was, that they heard "some laws were to be propounded at this Parliament."—Pat. Rolls, Ireland, 16 James I.

[2] Ibid.

A Parliament thus assembled was not likely to be very placable. When it did meet, Sir John Davis, an Englishman, was recommended as Speaker by the Crown. The Opposition would not listen to the appointment of a Speaker until the validity of the elections had been gone into; but finally Sir John Everard, a Roman Catholic gentleman, who had filled the office of Chief Justice of the King's Bench, was placed in nomination by them. On these names being put to the vote, Sir John Davis, together with the Government members, left the room of assembly to be numbered according to custom, when it was found that out of two hundred and thirty-four members, one hundred and twenty-eight had left the room. The Opposition would not, however, admit that this majority was a legal one. If in a minority, they still represented the mass of the population, and they therefore placed Sir John Everard in the chair. The Government party on their return of course claimed their right, and a scene of confusion ensued, which was thus graphically reported to James:—"The said Sir "John Everard still sitting in the chair, Sir Thomas "Ridgway, Sir Richard Wingfield, Sir Oliver St. "John, and others brought Sir John Davis to the "chair and lifted him into Sir John Everard's lap.

" The knights perceiving Everard would not give " place to their Speaker lifted him out of the chair, " and some of Everard's party holding him by the " collar of the gown to keep him in the chair, Sir " John Everard's right leg was somewhat strained, " being before infirm; and Sir John Davis being " placed in the chair, Everard and all that gave " their voices with him, in number but ninety-eight, " went forth into the outer house, and being re- " quired by the Speaker to return, they refused; " William Talbot, the lawyer, publicly saying— " '*You that are in the house, are no house, and your* " '*Speaker no Speaker, therefore we will not join with* " '*you, but will complain to the king and to the lord* " '*deputy,*'" and so departed the house.[1]

The Opposition, joined by most of the lords, at once determined to bring the matter before the king in person; and the priesthood throughout the country raised subscriptions to aid them in doing so, and a petition was at once drawn up, and delegates sent with it to England.[2] It was signed by most of the men of note in the country,[3] and

[1] Report of Commissioners Lord Chichester, Sir Humphery Winche, Sir Charles Cornwallis, Sir Roger Wilbraham, and George Calver.—Pat. Roll. Ireland, James I.

[2] Ibid.

[3] The Lords Buttevant, Gormanston, Fermoy, Delvin, Howth, Mountgarret, Cahir, Dunboyne, Louth, Killeen, Dunsany, Sir Walter Butler,

nothing could be more straightforward, or more clearly expressed. It showed how Ireland had been up till then divided into thirty-two shires, seven cities, and various ancient boroughs, the members for which represented the population. It pointed out that each shire in Wales was represented but by one knight and one burgess, while in many English counties there was but one borough, and in Rutlandshire not any city or borough, yet that in the seventeen Irish counties formed since the reign of Mary, and for the most part thinly inhabited, forty boroughs had just been made, each returning two members. It asserted that the members representing these boroughs were only officers of the army, of the courts of law, or belonging to the Deputy's household, not residents of the places they represented, as the law required. Many, even, of them had never seen their boroughs. Some of the boroughs, it was added, had no existence beyond their charters. The petitioners finally complained of the injustice by which the laws of Ireland were framed by men who not only had no stake in the country, but many of whom had no right to sit in

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Sir David O'Brien, Sir Christopher Nugent, Thomas Luttrel, Patrick Hussye, Sir William and Sir Thomas Bourke, Sir Patrick Barnwall, &c., &c.

Parliament, the charters of their boroughs having been issued later than their writs.

After a long delay the delegates were summoned to the Council Chamber at Whitehall by James I., who, in a speech which none but that eccentric pedagogue could make, wound up his reasons for refusing to accede to their petition by saying, "What is it to you whether I make many or few "boroughs? My Council may consider the fitness "if I require it. But what if I had created forty "noblemen and four hundred boroughs? The more "the merrier; the fewer the better cheer," and then dismissed them.[1]

Never did a monarch commit a graver error. The Government had for some years been endeavouring to unite Ireland into one state, and it had succeeded in creating a national feeling very different from that intended. From Cork to Londonderry was now shire ground, and the MacDonough sat as Member of Parliament by the side of the Butler. The religious feuds of the former reign had caused many of the Anglo-Irish, as well as of the natives, to seek for employment on the Continent, where they had learnt together to become able soldiers, scholars, and politicians. The Go-

[1] Desiderata Curiosa Hibernica.

vernment could therefore no longer induce the Anglo-Irish to fancy every MacGynnes or Doherty a savage.[1] The Roman Catholic religion had become a bond of union, and enactments against Roman Catholics could not be enforced, for juries would not convict. Papist schoolmasters, priests, friars, and Jesuits brought up in the seminaries of Spain and the Low Countries, swarmed over the land;[2] and laity, as well as priesthood, felt that it was to overthrow this religion that the forty boroughs had been created. Even James, when he dismissed the delegates as schoolboys who had got themselves into a scrape, knew that their petition was a just one. He had sent commissioners to Ireland, whose report so fully corroborated the complaints which had been made, that he informed the Deputy that the members elected for Tallagh, Lismore, Carlow, Clonakilty, Featherd, Agher, Belfast, and Charlemont could not sit in the present Parliament, the charters not having been sent till after the writs; that the burgesses for Kildare and Cavan had been falsely returned; and that Clogher, Athlone, and Gorocan had no charters. Contemporary history tells us that this Parliament, when

[1] See a Discourse of the present state of Ireland, 1614, in Desiderata Curiosa Hibernica, vol. i.

[2] 16 James I. Report of Commissioners. Pat. Rot. Ireland.

it reassembled, was of a more placable temper, and passed all the enactments that were asked of it. But the outward surface of political life may be tolerably smooth whilst a volcano is smouldering underneath. Neither Irish nor Anglo-Irish had forgotten that it was wished to force them to submit to a Protestant minority, which represented neither the gentry, the middle classes, nor the peasantry. The blood of the Barnwalls, the Prestons, the Plunkets, revolted at this treatment equally with that of the O'Neils and MacMahons. James appears to have had some sort of intimation that it would not answer to push the question at issue too far, for he caused to be withdrawn from the list of bills placed before them one against the Jesuits;[1] but this did not prevent a feeling spreading throughout Ireland that loyalty was becoming cowardice. By law no Roman Catholic could, without taking the oath of supremacy, sue livery of his land, fill any office in the State, act as mayor, magistrate, or justice of the peace, plead in a court of law, or take any degree at law. Owing to the great mass of the population being Roman Catholic it was not considered safe to enforce these restrictions too strictly; nevertheless every man felt

[1] James I. to the Deputy. Desiderata Curiosa Hibernica, vol. i. p. 225.

that, so long as such statutes remained unrepealed, property was in danger; and, truly, property in Ireland was in a very dangerous predicament. The king had been so well pleased with his plantation of Ulster that he sought for pretexts for confiscations over the whole country. He got his title found to the district between the rivers Arklow and Slaney, which had from time immemorial belonged to the O'Byrnes, O'Tooles, and Kavanaghs, on the plea that it had been granted Sir John Beaumont by Richard II., and had fallen in to the crown, 1 Henry VII., by the attainder of Francis, Lord Lovell.[1] He then turned his attention to Connaught. Under Sir John Perott's government, it had been found that the gentry of Connaught could show no title to their lands beyond possession; and they were advised to surrender them into Elizabeth's hands, which they did, and received them back in due form on paying a composition. The registration of some of these new titles was forgotten, and in 13 James I. the owners had to be again confirmed in their property, and pay 3,000*l.* to the registering offices in Dublin for the due enrolling of their patents. The money was paid, but the deeds were not enrolled.

[1] Appendix D.

As to ordinary forfeitures of property for acts of rebellion during the late queen's reign, they were of daily occurrence over the whole country. The English public, eager for a share of the spoil, looked forward with avidity to the division of these lands. Government officers of all degrees, adventurers of every station, claimants on the bounty of the court, hangers-on of men in office, were one and all striving for a portion; for if money was still a rarity, rents could be had in the shape of beeves, sheep, and poultry; in oats and malt; in bread and butter; in the shape of personal service at ploughing and harvest time;[1] and consequently there

[1] Land given to the Earl of Thomond, 2 James I., in county Carlow, rent for each plow, a carcase and a half of beef, and 72 gallons of beer, and 18 loaves. Out of 31 cottages, 19 paid 1*l.* 13*s.* 4*d.* a year rent. The rest paid nothing but labour and customs. Several yearly customs, viz., all the farmers and tenants of the said messuages and cottages to render one sheep out of every flock exceeding 7 in number, and one penny for every sheep under that number; a hen at Christmas, a dish of butter in May, and another in autumn, every dish containing 3½ parts of one gallon, &c. In all works within the castle the inhabitants to find six workmen or labourers, during the said work, at their own expense. Each tenant and cottar to weed the demesne corn 3 days, and a woman out of every house in Carlow to bind the sheaf one day; each tenant and cottar to cut wood 3 days. The heriot to be the second best beast; and if only one, the third of his price. In the grant to Thady O'Doyne, chief of his nation, of lands in Queen's county, we find, "all and singular the annual customs and rents of silver, beoves, oats, "bread, butter, and malt, &c., following, viz., out of the q^r^ of Rerimore, "8*s.*, two beoves, 24 cronoks of oats, 40 cakes of bread, 13 dishes of "butter, 18 carnes of malt, and a herriot after the death of every "'canfinny' in the said q^r^; a hookday in autumn, out of every 20^s^,

was no forfeiture, however small, or however intricate its title may have been, owing to the Irish custom of gavelkind,[1] that was not greedily applied for. The whole of these extraordinary confiscations are to be found, in the most minute detail, in the Patent Rolls of this period. Each townland, farm, messuage, or even garden, is carefully enumerated, and its measurement and description given—whether pasture, arable, bog, or mountain, together with its respective customs, heriots, and rents. The former possessors are all carefully named, and it is recorded whether they were amongst the slain, hung, attainted, or outlawed for rebellion. The miserable state of the country is described without any attempt at palliation—"One water mill, now waste;"

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"and two plow-days for every plough in said q^r, viz., one in summer "and one in winter, and 4*s.* for his horseboy's diet—out of Ballikiven q^r "two beoves, &c., &c."—Pat. Rolls, Ireland, 6 James I., xxvi.

[1] For instance, Sir Arthur Savage gets in the Galkagh, county Galway, 1 cartron, called Dirrioughteragh; half of the ruinous castle near Beallamoe bridge; in the Gilkagh aforesaid ⅔ of a cart, called Durrieightragh; in Kilcarnetogher ⅓ cart. Seanvallimore ¼ q^r in the Gilkagh; parcel of the estate of Thomas Bourke FitzHenrie-FitzWilliam, slain in rebellion, rent 7*s.* In Tuamcharome, ⅛ q^r; parcel of the estate of Thomas Bourke MacHubart MacShane, slain in rebellion, rent 2*s.*, &c., &c. In Mayo, the third part of the castle of Cregmore; the third part of the 4 q^rs of Carrownycrisie, Carrowcarynelahie, Carrowkeele, and Carrowcrombyn-Mac-Edmond-boy; parcel of the estate of Ullick Carragh MacInnie, slain in rebellion; rent 8*s.*, &c., and he gets *grants* of such partitions in the counties of Cavan, Mayo, Galway, Limeric, Tipperary, Kerry, Cork, Dublin, Kilkenny, Kildare, Wicklow, Meath, Sligo, Roscommon, and Dublin city.—Ibid., 2 James I., xiii.

"one ruinous church;" "a ruined messuage;" "a "ruinous house," are remarks to which the reader soon gets used after the first few pages. Is the present generation ashamed of these proceedings, or is it considered a wise policy to conceal the details of the actual facts connected with these plantations? It is now many years since these Rolls have been printed by direction of the Record Commissioners. They have never been issued. Yet they alone can bring home to the minds of the men of the present day what must have been the bitter feeling of hostility to British rule engendered in the hearts of those thus despoiled of their inheritance. These documents are now mere matters of history. Their publication can only add to the desire the people of England now feel to legislate for the benefit of Ireland; and they would, besides, do much towards dispelling the notion now prevalent amongst many, that the Established Church of Ireland had been the means of depriving the Roman Catholic clergy of vast amounts of property. In Ulster the old Termon and Herenach lands were, for the most part, put by for the Established Church; but, as in the days of Paparo, most of these had for centuries been seized by native Irish septs, and, in many cases, the eccle-

siastical benefices held by laymen.[1] But the chief endowments made to the Established Church were crown manors; parsonages and chapelries and tythe lands being bestowed, as the monastic lands had been by Henry VIII., upon the laity.[2] Indeed, in 16 James I. it is especially reported to the crown that "the defect of ministers and preachers grows "out of want of livings wherewith to sustain them, "the reason whereof is the multitude of impropria-"tions and want of endowments."[3]

These confiscations, however, did not benefit the government of Ireland, and the army had still to be billeted by troops and companies on different portions of the community, which had by turn to pay and ration the men. Charles I., on his accession, in order to induce the people to put up with this excessive grievance, promised certain concessions, never intended to be carried out,[4]

[1] Thus in the indenture between Henry VIII. and the O'Ruark, in 1542, it was stipulated, "The Lord Deputy shall present fitting priests "to the ecclesiastical benefices in his country which are now occupied "by laymen, reserving to the king his primacies or first-fruits, and his "ordinary jurisdiction of churches; the same benefices to be granted "under the great seal."—Carew MSS., p. 195. Similar complaints as to Clanricarde county, ibid., p. 213. See also complaint of Hugh Earl of Tyrone as to the Archbishop of Armagh and Bishop of Derry and Clogher having taken lands which he occupied.—Fate and Fortune of the Earl of Tyrone, &c., by Rev. C. P. Meehan, p. 194. Dub., 1868.

[2] Appendix E.

[3] Patent Rolls, Ireland, 16 James I., p. 399.

[4] There can be no better proof of this than the following letter

which under the name of "graces" were drawn up with a view of conciliating all parties. The oppression of the soldiery when levying taxes, which, on official inquiry, had been found to be most vexatious, was to be restrained; the king's title to land was to be restricted to sixty years;[1] the landholders of Connaught were to be permitted to take out new patents, on the payment of half fees; linen yarn, corn, wool, and cattle were to be imported free into England, and tallow, hides, fish, beef, and pork, to England, or elsewhere; lawyers of the Roman Catholic persuasion were to be allowed to practise; tenants *in capite*, of that faith, to *ouster la main*, without taking the oath of supremacy; and all proceedings against Papists for marriages and christenings performed by priests, were to be suspended. In grateful acknowledgment of these promises, and of a pledge on the part of the crown to summon a Parliament immediately to make these graces law,

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written by Charles on this subject 23rd Oct., 1634:—"Wentworth, "before I answer any of your particular letters to me, I must tell "you that your last public dispatch has given me a great deal of con- "tentment, and especially for keeping off the envy of a necessary nega- "tive from me of those unreasonable graces that people expected from "me."—The Earl of Strafford's Letters, vol. i. p. 331. Dub., 1740.

[1] This particular point amongst many others was based on the demands made by the English Parliament of James I. for a consideration of 200,000*l.* per annum.—Morgan's Phœnix Britannicus, vol. i. p. 507.

the gentry agreed to pay 40,000*l.* a year, for three years, towards the revenue. But no sooner was it known that these graces had been promised, than a synod was held at Christchurch, Dublin, when twelve prelates declared that to grant toleration of worship to the Papists "was a grievous sin," "whilst to do so for money was to sell religion, and "with it the souls of the people whom Christ had "redeemed with his blood." The Deputy, Lord Falkland, summoned a Parliament, but omitted to go through the formality of obtaining a licence for the same under the great seal of England, upon which the summons was declared null and void. Whether Lord Falkland was satisfied with this duplicity is not recorded, but he was soon after recalled, and a more fitting instrument found in the person of Lord Wentworth. Proud and ambitious, possessing great abilities, yet stayed by no scruples, Wentworth proceeded to Ireland determined to carry out his master's arbitrary and selfish policy. The army had still to be provided for, and, with the graces in abeyance, it was not to be expected that the gentry would give any further subsidies, whilst it was to be feared that if a Parliament was summoned, not only would the Roman Catholics clamour for the graces, but that the Presbyterians,

who, since the Ulster plantation, formed the majority of the Irish Protestants, would object to supporting an army, at a time when the king was on such bad terms with his Scottish subjects. Wentworth succeeded, however, in obtaining a renewal of the contribution for two years, and then turned his attention towards balancing the Roman Catholic and Presbyterian interests. To the former it was privately explained that, if they did not stand by the Government, the Presbyterians would get the penalties enforced against non-attendants at the state service, whilst the latter were informed that, without the army, the Government would not be strong enough to refuse freedom of worship to Roman Catholics. Care was also bestowed on the selection of high sheriffs, and a Parliament being finally summoned in 1634, Government officials and army officers were sent down to the various boroughs created during the late reign, by means of which an obsequious body of members was obtained, who would vote with the Catholic or Puritan interest as might be required. Parliament having assembled, Wentworth informed the two houses that he trusted to their loyalty to take first of all into consideration the necessities of their king, and that there should therefore be two sessions, one, to

vote the supplies, the second, to discuss the question of the graces. This renewed assurance of the latter rendered him so popular, that, contrary to the old custom of voting subsidies of 13*s.* 4*d.* upon each tilled plough land, which, owing to the small amount of land under cultivation, came to but a meagre sum, Parliament granted six subsidies of 4*s.* on the pound upon land, and 2*s.* 8*d.* on goods, which amounted to 45,000*l.* Two of these subsidies to be paid each of the following two years, and one each year subsequently, the whole to be spent as the Deputy pleased. Parliament had assembled July 14th, 1634, and was prorogued the 2nd of August following, till the 4th of November. But when it again met, instead of finding the Deputy anxious to pass the graces into law, it was found he had prepared three bills, by which severe penalties were attached to those artifices to which the Roman Catholics had been obliged to resort, in order to succeed to their properties. As all estates in Ireland were held by feudal tenure, the Roman Catholic gentry had introduced an intricate system of feoffments and long leases, acts which the Deputy, by means of his packed majority, succeeded in making penal, and then he not only declined entertaining the question of the graces, but, dissolving Parliament,

proceeded into Connaught to reopen the old grievance as to the king's title to lands. He there succeeded in frightening the gentry of Roscommon, Sligo, and Mayo into finding the king's title to these counties; and the gentry of Galway proving refractory, and not recognizing that their lands belonged to Charles I. because John had bestowed them on William FitzAndelm, he fined the jury appointed to try the case, 4,000*l.* a man.[1] But Wentworth had mistaken the age in which he was living. England and Scotland were openly avowing their disbelief in the divine right of kings, a theme which had never very much troubled the inhabitants of Ireland.

The disunion between the Roman Catholics, Presbyterians, and Church of England factions enabled Wentworth to govern for a time with a high hand. It must also be admitted that where his power was not disputed, he could act with sagacity and forethought. Shortly after his arrival in Ireland he had carefully examined into the state of the revenue. The customs he had found farmed out for 13,000*l.* a year, and tobacco for 50*l.* a year. He bought these in, and let out the former at 15,000*l.*, and the latter for eleven years at 5,000*l.* the first five years, and 10,000*l.* the remaining six.

[1] Carte's Ormond, vol. i. book ii.

Discouraging, like his predecessors, the woollen trade,[1] lest it should interfere with the English market, he gave every assistance towards improving the growth of flax, sending over to Holland for seed, and spending 30,000*l.* in the manufacture of flaxen goods.[2] But the men of that time were too much taken up with the great questions of freedom of conscience and of action to pay much attention to such matters; and when, in April, 1640, Wentworth, created Earl of Strafford, sailed for England to assist his master's council, and meet the doom which awaited him, the Anglo-Irish, emboldened by the menacing aspect of affairs in England, sent a committee thither to lay their grievances before the king. The names of those who composed the deputation are a sufficient guarantee that the question of the graces was one which equally affected all parties;[3] and Charles, who was then at

[1] Moore's Hist. Ireland states that at that period an abundance of wool of a peculiarly good quality formed a valuable branch of the staple of the kingdom, vol. iv. p. 200. But Sir John Davis in his Historical Tracts gives us as the result of his researches into the archives of the customs that wool and wool fels were ever of little value in Ireland owing to the restrictions placed upon their export.

[2] Carte, in his Life of Ormond, gives Wentworth the credit of originating the linen trade: but by 33 Hen. VIII. ii., 11 Eliz., s. 3, c. 5, it is plain that flax had been for some time a branch of commerce. See also Pat. Roll, Ireland, 5 James I., p. 105.

[3] The delegates were Sir Donogh Maccarty, Sir Hardress Waller, and John Walsh, for Munster; Nicolas Plunket, Nicolas Barnewall,

war with Scotland, was but too glad to try and retain their allegiance, by allowing them to return with bills signed by himself, sanctioning the graces in 1628. It was, however, too late.

Although transplanted and dispersed, the Irish still considered the lands of their forefathers as their own by hereditary right, and had ever looked forward to dispossessing the existing occupants. In 1634, Ewer MacMahon, subsequently titular Bishop of Clogher, had informed the Government of an intended insurrection to be assisted from abroad. On the 16th of March, 1640, Sir Harry Vane had by the king's commands advised the Council of Ireland that numerous officers and priests were daily reaching that country from all quarters, and that there were rumours of an expected rebellion.[1] The following year it took place. Roger More, a gentleman descended from the last chieftain of Leix, seems to have suggested to his countrymen, that if the Scotch Covenanters, by taking up arms, could obtain their end, the Irish might do the same. He was warmly supported by Conor MacGuire, chief of that

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Richard FitzGerald, and Simon Digby, for Leinster; Sir *Robuck Lynch*, Jeffrey Browne, and Thomas Bourke, for Connaught; Sir James Montgomery, Sir William Cole, and Edward Rowley, for Ulster.

[1] Carte's Life of Ormond, vol. iii. State Letters, No. xviii.

name, and Sir Phelim O'Neil, a man of consequence in Tyrone. The confederates agreed to obtain the assistance of such Irish as were then serving abroad, and to raise the standard of revolt, trusting that the Anglo-Irish would readily join them to secure freedom of religion. On the 22nd October, 1641, Sir Phelim O'Neil was to besiege Derry; Sir Con Magennis, Newry; and the Ulster men were then to march on to Dublin, which was to have been taken the same day by Roger More. Fortunately, the secret was divulged to the Privy Council, and the attempt upon Dublin failed, but the fort of Charlemont was seized by Sir Phelim O'Neil; the O'Quins took the castle of Mountjoy; the O'Hanlans Tanderage; Sir Con Magenis, Newry; the Mac-Mahons seized the castles of Monaghan and of Blayney; Philip O'Reyley with his sept, the town of Belturbet; and within a week the whole of Ulster was in the hands of the rebels, with the exception of Enniskillen, Derry, Coleraine, Lisnegarvy, and Carrickfergus. The Lord Deputy being absent, Ireland was at this time governed by Lords Justices. These were Sir John Borlase and Sir William Parsons. The former was Master-General of the Ordnance, the latter had largely benefited by the forfeitures of James. They have been accused

of having been entirely in the interest of the English Puritans, and to have looked on this rebellion but as a blow to the king's cause in England. It is more probable that Sir John Borlase was unfit for the post he had been appointed to, and that Sir William Parsons was not displeased by an insurrection which would enable him to add to his already ill-gotten lands. However, beyond terming it a rising of the Papists, the Lords Justices took no step whatsoever to check it. But it was not as yet a rising of the Papists. Not a single Roman Catholic tainted with English blood had been informed of the intended outbreak, and one of the first acts of the insurgents was to prohibit the injuring of the Scotch settlers in Ulster, a large majority of whom were Presbyterians. They had also shown that they could pay due respect to a sincere English Churchman, in the person of William Bedell. That worthy prelate had been appointed Bishop of Kilmore in 1629, and since that time had strenuously endeavoured to reform of own clergy, and to spread the gospel by means of preachers who could speak the native tongue. Taken prisoner by the rebels, he soon after died, aged seventy-one; but he was buried by them according to the forms of the Anglican Church, and with the

honours attending his rank. Indeed no one knew better than the Lords Justices the real nature of this rebellion, and also how to turn it to account for their own purposes. They refused to give arms to the Roman Catholic noblemen of the Pale, who, on the first news of the rebellion, came at once to Dublin to offer their services. They refused the request of the Earl of Ormond, a staunch supporter of the Church of England, and Commander-in-Chief of the army in Ireland, to march into Ulster, and attack the rebels before they had time to organize their forces. In the meanwhile the insurrection was fast spreading. Any honest Government at this juncture would have at least endeavoured to conciliate the Anglo-Irish. There was then a Parliament sitting at Dublin to pass those graces into law, which the king had fully agreed to the year before. These once passed, that body had nothing left of which to complain. The Justices prorogued Parliament without allowing the question to be mooted, forbade the gentry of the Pale taking refuge in Dublin, under pain of death; and talked loudly at the Council Board respecting the policy of allowing a single Roman Catholic to remain in the kingdom. Refused leave to assemble for their own defence, yet fully aware that no measures were being

taken for their protection, whilst twenty thousand insurgents were between Drogheda and Dublin, the Anglo-Irish felt there was but one step for them to take. The gentry bordering on Ulster were the first to move. They assembled at the hill of Crofty, and met a deputation of the Ulster men, when it was agreed they should join the common cause until they had secured civil and religious freedom. The rebellion now became a Roman Catholic one. Kildare, Westmeath, Kilkenny, &c., followed the example of Meath, and not only did the gentry take up arms, but the most influential trading towns readily opened their gates to the insurgents.

It is unnecessary to enter into the details of this rebellion. At the first outset many fearful scenes of bloodshed were enacted, more especially when the insurgents got irritated by some wholesale acts of retribution, for the lower class of natives were still totally uncivilized.[1] Lithgow, who visited the country in 1620, tells us they still prayed to each new moon to be propitious to their cattle, and erected their dwellings of "smoak-torn straw, green "long-pricked turf, and rain-dropping wattles;"[2]

[1] Ils n'ont point la plupart de chemises, et un peu moins de poux que de cheveux à la teste, qu'ils tuent les uns devant les autres sans honte. —Les Voyages du Sieur de la Boullaye, &c.: Gonz., Paris, 1653.

[2] Description of Ireland, in Morgan's Phœnix Britannicus.

whilst among the statutes passed in 1634 by Wentworth was one which forbids the native system of attaching horses to the plough by their tails,[1] and tearing the wool off live sheep.[2] That such a people should have been guilty of atrocities is not to be wondered at. They hated the English settler as having robbed them of their land, and they hated the English churchman, whom they only knew as a

[1] There was an Act of Council made in the year 1606 restraining the use of the barbarous custom of drawing ploughs and carriages by horse-tails, upon pain of forfeiting, for the first year's offence one garron, for the second, two; and for the third, the whole team; notwithstanding this was not put in execution for almost five years after, until, in the year 1611, Captain Paul Gaure, demanding seven or eight score pounds of his majesty for pay of certain soldiers entertained by him, upon the Lord Deputy's warrant, did for that and other extraordinary services, in the time of O'Dogherty's rebellion, desire the benefit of this penalty for one year, in one or two counties, which the Lord Deputy granted him, limiting him to 10s. Irish for every plough so offending. In the year 1612 the Lord Deputy ordered to have the said penalty levied within the whole province of Ulster, at the rate of 10s. English, upon every plough drawn as aforesaid, and the money so raised, amounting to 870*l.*, was employed to public uses. In the year 1613 the penalty of 10s. English hath been taken up to the use of Sir William Uredall by letters patent, reserving a rent of 100*l.* yearly, the profits whereof this year, within the province of Ulster amounts to 800*l.* sterling, although we are informed the charge upon the people is much more. Although divers of the natives pretend a necessity to continue the said manner of ploughing as more fit for stony and mountainous grounds, yet we are of opinion that it is not fit to be continued, being condemned by the English inhabiting those parts as an uncivil and unprofitable custom.—Report of Commissioners, Pat. Roll., Ireland, 16 James I. p. 410.

[2] Statutes of Ireland, 10, 11, c. 1., c. 15.

tax-gatherer.[1] But the atrocities committed were subsequently frightfully exaggerated for party purposes. The Protestant English inhabitants in Ulster at this period are computed by the best authorities,[2] to have numbered about twenty thousand souls. Of these a large proportion reached Dublin in safety; six thousand were saved in Fermanagh; and others got safe to Coleraine, Derry, and Carrickfergus. As sept after sept, however, rose in the other provinces, a large number of English settlers were cut off; and Sir William Petty, who was better acquainted with Irish statistics than any man of his day, estimates, after a careful inquiry, the total number of English killed during the first year of the Rebellion at thirty-seven thousand.[3] This slaughter, though small in comparison with what it was declared to be by partisan writers, naturally created a terrible feeling of vengeance in the minds of the people of England, and

[1] For the scandalous state of the Church of England in Ireland at this period, the strongest evidence comes from its most devoted adherents.—See Strafford's letter to Laud, 1634, in Carte's Life of Ormond, vol. i. p. 69, ed. 1736; also Hist. of Church of Ireland, by the Rt. Rev. Richard Mant, D.D., Lord Bishop of Down and Connor, London, 1840; especially letter of Bishop Bedell to Laud, vol. i. p. 436; Letter of the King to the Archbishop, 1631, p. 438, &c.; Dr. Bramhall, subsequently primate, to Laud, ibid., p. 449.

[2] Carte's Life of Ormond, vol. i. p. 178, ed. 1736.

[3] Political Survey of Ireland, by Sir William Petty.

caused such Roman Catholics as the Earl of Clanricarde to state, "That it is the desire of the "whole nation that the actors of those crying sins "should in the highest degree be made examples to "all posterity."[1] The principal leader in these scenes of massacre was Sir Phelim O'Neil, who had been selected by the Ulster Irish as commander of the rebel forces. He had been educated in England at Lincoln's Inn, but had for many years been in money difficulties, the result of a life of dissipation. Cruel in his disposition, and ignorant as a general, he brought an odium on the Irish which could never be eradicated, although his successor, Owen O'Neil,[2] a gallant officer from the Low Countries, who was appointed commander of the Ulster forces in July, 1642, made himself conspicuous by the manner in which he disciplined his raw levies, and put a stop to all unnecessary bloodshed.

Between Sir Phelim and the Anglo-Irish there could be no unity of action. Indeed the old hatred between the two races seems to have been only

[1] Carte's Ormond, Appendix, No. lxxxiv.

[2] The only son of Hugh, Earl of Tyrone, had just died at Brussels without issue. The next of kin was one Con MacArt O'Neil, but being a soft inactive man, Owen O'Neil, an illegitimate son of an illegitimate branch of Mathew, Baron of Dungannon, was selected on account of his merits in preference to Phelim O'Neil, a legitimate descendant of Owen O'Neil, grandfather of Con, first Earl of Tyrone.

prevented from breaking out by a proclamation[1] of the lords justices, which threatened to extirpate the Irish and papacy together. This policy was the one advocated by the English Parliament. It is newly reported here, wrote the Earl of Clanricarde to the king, "that the Parliament in England are "resolved to make it a war of religion, and to grant "no toleration thereof in this kingdom."[2] A report which was perfectly correct. "On the 2nd Decem- "ber, 1641," says Rushworth, "after a solemn "debate, resolved by the Lords and Commons that "they would never consent to any toleration of "the Popish religion in Ireland, or in any other "of his Majesty's dominions."[3] In accordance with this resolution, the English Parliament induced the Scotch to send an army of Covenanters into Ireland, to plant the Gospel there with the sword; and the lords justices, not satisfied with issuing a second proclamation informing the Anglo-Irish that their laying down their arms would not wipe away their offence, proceeded to imprison such of them as had remained loyal. Yet if the Anglo-Irish were in rebellion, it was for exactly the same cause as the Parliament of England—civil and religious liberty.

[1] Carte's Life of Ormond, vol. i., p. 217, Append., xlvi. xlvii.

[2] Ibid., Appendix, No. lvi.

[3] Rushworth's Hist. Collec., vol. i. pars. 3, p. 456.

For years had they been expecting a redress of those grievances which debarred their children from being educated at the university, or frequenting colleges on the Continent. For years had they been considered unfit to fill any dignity, place, or office, whether military, civil, spiritual, or temporal. With all this rankling in their hearts, they found that when a terrible rising of the native race against everything English threatened them with destruction,[1] the Government, instead of taking measures to secure their safety, forced them into joining it for the sake of self-preservation. Even the Earl of Ormond, a strict Churchman, was under the necessity of reproaching the lords justices at the Council Board for the irritation they were creating, and threatened to throw up his commission if he did not receive satisfaction for the hanging of a priest whom he had taken under his protection. It must be stated, also, that throughout the rebellion the Anglo-Irish forbore from any acts contrary to the warfare of civilized nations. The Viscount Mountgarret shot with his own hand a gentleman of his suite for plundering contrary to his express orders. Richard Butler of Kilcash, brother to the

[1] Remonstrances delivered by the nobility and gentry of the Pale to the King's Commissioners at Trim, A.D. 1641.—Desiderata Curiosa Hibernica, vol. ii.

Earl of Ormond, took Clonmell and Dungarvon without a life being lost. Sir Richard Everard safely escorted his English tenants to the nearest English garrison. Waterford and other towns allowed all English Protestants to leave without molestation. Their leaders, indeed, appear to have felt the necessity of allowing no comparison to be made between them and the Ulster rebels; and to make the difference complete they selected as their general Thomas Preston, brother of Lord Gormanston, an officer who had served abroad for many years with distinction, and had risen to be Governor of Geness, in which capacity he was serving when sent for by the confederates. On the other hand, the lords justices were endeavouring to rival the cruelties perpetrated by the northern Irish; and Sir Charles Coote, a soldier of fortune, who commanded for them, was as fond of bloodshed as Sir Phelim O'Neil. To wound, kill, slay, and destroy the rebels; to burn, spoil, waste, and consume their towns and houses, was the pith of their proclamations, which their general carried out to the best of his ability.[1] The Earl of Clarendon, in his historical

[1] "It is resolved, That it is fit that his lordship (Ormond) do endeavour "with his Majestie's said forces to wound, kill, slay, and destroy, by all "the ways and meanes he may, all the said rebels, and their adherents and "relievers, and burn, spoile, waste, consume, destroy, and demolish all

view of the affairs of Ireland from 1640-52, very distinctly affirms that the first massacre on either side was by the garrison of Carrickfergus, which in the beginning of November, 1641, slaughtered in one night three thousand inhabitants of the adjoining territory of Magee. It is very improbable that this small peninsula contained so many people, or that the Irish having risen on the 21st of October, had not committed many murders before the month of November. Nevertheless this slaughter of Magee shows how ready the other party was to play with the same weapons.[1] Indeed so strong was the spirit of revenge that fire, sword, and famine, hanging and racking were exterminating the innocent as well as guilty;[2] evils which but one man connected with the Government endeavoured to stay.

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" the places, towns, and houses where the said rebels are, or have been, " relieved and harboured, and all the corne and hay there, and kill and " destroy all the men there inhabiting able to bear armes."—Order of the Lords Justices to Ormond, 23 Feb. 1641; Carte, Appendix, No. lx.

[1] " In Decies country," also adds Lord Clarendon, " the neighbouring " English garrisons of the country of Cork, after burning and pillaging " all that country, murdered about three thousand persons, men, women, " and children, before any rebellion began in Munster, and led one hun- " dred labourers prisoners to Capoquin, where, being tied by couples, " they were cast into the river, and made sport to see them drowned. " Observe that this country is not charged with any murders to be " committed on Protestants."

[2] Letter of Clanricarde to Earl of Essex in Carte's Ormond, Appendix, No. lxxxiv.; a remonstrance by the Rt. Hon. James, Earl

James Butler, twelfth Earl of Ormond, by birth a Roman Catholic, had at an early age become a ward to the crown, and been brought up in the doctrines of the Church of England, to which he remained faithful during his life. On the Earl of Strafford finally leaving Ireland, he had been recommended by that nobleman for the command of the army. Events proved the judiciousness of the selection, for the influence he bore in the country, and the respect which his sincerity won for him from Roman Catholic and Puritan, enabled him to do much towards mitigating the horrors of that civil war. The part, however, he had to play was a most difficult one. Chief amongst the Anglo-Irish nobility, and head of a family which had ever stood loyal to the crown, he found himself opposed in religion and politics to every branch of his house, including even his own brothers, whilst his very loyalty rendered him obnoxious to the lords justices. As lieutenant-general of the king's army he had to maintain it faithful to the crown; prevent its being tampered with by the Irish Government; make war on the rebel forces, yet if possible refrain from driving the

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of Castlehaven, in Desiderata Hibernica, vol. ii.; also in the same, a letter from a Protestant in Ireland to a member of the House of Commons in England, upon the occasion of the treaty in that kingdom, 3rd Oct. 1643.

Anglo-Irish into personal ill-feeling against the monarch. He had to preserve terms with the parliamentary reinforcements, which in the king's name were every now and then sent to assist the lords justices, and with an army of Scotch Covenanters, which, at the instigation of Parliament, had landed in Ulster. Yet he had to avoid assisting either in such a way as would give a preponderance to its cause. A loyal servant of the monarchy, he looked to the interests of the king first; and, in hopes that the affairs of his master would right themselves in England, he was anxious to keep all parties balanced in Ireland, and, if possible, bring back the Anglo-Irish to their allegiance. But, like Charles I., Ormond destroyed his cause by his firm belief that the Church of England alone was infallible. From the time the Anglo-Irish took up arms, the king was aware that they would not only have laid them down at once, but would have sent him reinforcements of men and money, had he but granted them freedom of religion. Charles, however, persisted in refusing to abrogate the penal statutes, though, in hopes of cajoling the Anglo-Irish, he promised that they should not be enforced.[1] But this would not satisfy men who had so often

[1] Carte's Ormond, Appendix, No. i.; Charles to Ormond.

seen their religion tolerated or otherwise, as it suited the caprice of the Lord Deputy, or the wants of the Government. In conjunction, therefore, with the Irish they organized a Supreme Council with its head-quarters at Kilkenny, which directed the affairs of the whole Roman Catholic community of Ireland; and the confederates swore not to lay down their arms until the freedom of their religion had been ratified by Act of Parliament. In 1643 the Scotch having declared war against the king, Charles, to gain over the Anglo-Irish, ordered the lords justices to be impeached, appointed the Earl of Ormond to the lord lieutenancy, and agreed to a cessation of hostilities for one year, during which the grievances of the confederates might be inquired into.[1] But this was too old a ruse to have any

[1] As early as the 18th Jan. 1644-5, Charles wrote to Ormond: "I do hereby promise them, and command you to see it done, that the "penal statutes against Roman Catholicks shall not be put in execution, "the peace being made, and they remaining in their due obedience. "And further, that when the Irish give me that assistance, which they "have promised, for the suppressing of this *Rebellion*, and I shall be "restored to my rights, then I will consent to the repeal of them by a "law. But all those against appeals to Rome and præmunire must "stand." On 27th Feb. he adds, "I do therefore command you to con-"clude a peace with the Irish, whate're it cost, so that my Protestant "subjects there may be secured, and my regal authority preserved. "But for all this, you are to make the best bargain you can, and not to "discover your enlargement of power till you needs must; and though I "leave the managing of this great and necessary work entirely to you, "yet I cannot but tell you, that if the suspension of Poining's Act for

effect. The council at Kilkenny, to test the king's sincerity, demanded from Ormond a declaration of war against the Scotch forces in Ulster, who, with utter disregard of the cessation, had taken Belfast. Ormond, who knew that, were these driven out of the country he would be at the mercy of the Roman Catholics, temporised with both parties. But in the mean time the king's affairs becoming daily worse and worse, he found it necessary to make some further concessions, and agreed that if the confederates supported him with ten thousand foot, the penalties against Roman Catholics for celebrating their worship should be repealed, and permission given them to sue out liveries, and fill offices of trust, on taking an oath of allegiance. Upon this basis, after a long series of negotiations, a peace was finally concluded in July, 1646. Unfortunately for both parties, the natives and the lower orders of the Anglo-Irish, instigated by a portion of their clergy at the instance of the Papal Nuncio, Rinuc-

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" such bills as shall be agreed on between you there, and the present " taking away of the penal laws against Papists by a law will do it, I " shall not think it a bad bargain, so that freely and vigorously they " engage themselves in my assistance against my rebels of England " and Scotland, for which no conditions can be too hard, not being " against conscience or honour."—Carte's Ormond, Appendix, Nos. xv. xviii.

cini, a vain, meddling Italian priest, whom the Pope had sent the year before to the Council at Kilkenny, declared that the point concerning religion had been sacrificed, for it ought not only to be tolerated, but to hold the same position in Ireland as it did in France or Spain. General Preston having sided with that party, he and Owen O'Neil rejected the terms of the peace and laid siege to Dublin. Ormond was by this move reduced to the greatest extremity. The Scotch in Ulster would not assist him, and he had greatly weakened his own forces at various times by the reinforcements in men and money he had sent to the king. Disgusted at the rejection of conditions which had cost him much, and fearing that a renewal of the war would give a preponderance to the natives, and to the Roman Catholic religion, he entered into a negotiation with the Parliament of England, and having given up Dublin to their forces, sailed for England the 28th of July, 1647.

The ultra-Romanists were soon made to feel the error they had committed. Owen O'Neil, at the head of the native forces having worsted the Scotch at Benburb, became inflated with the idea of Ireland once more belonging to the Irish, made overtures to General Jones, who commanded the Parlia-

mentary forces in Dublin, and allowed him to destroy Preston's army at Dungan Hill. Preston, seeing that the natives were once more making it a war of race and not of religion, joined the Lords Clanricarde, Castlehaven, and other loyal Roman Catholics, in their urgent appeals to Ormond to return to Ireland. Ormond was but too anxious to return. He had no sooner reached England, and been enabled to judge personally of the events passing in that country, than he discovered that he had thrown away the only chance of re-establishing the royal power; and he went back to Ireland anxious to retrieve the step he had taken, even at the risk of conceding everything the people might ask. This success was far greater than he could have expected. He brought back to the royal cause O'Brien, Lord Inchiquin, an influential Protestant nobleman in Munster, who had long been a bitter enemy of the confederates. He induced the whole body of Anglo-Irish to reject the Nuncio, who was forced to leave the country in February, 1649. He got the Scots of Ulster to declare for the king, and numerous English cavaliers flocked to his standard. He was thus enabled to place garrisons in Drogheda, Trim, and Dundalk, and to besiege Dublin. But Jones, sallying from that city,

completely routed the beleaguering force at Rathmines, and before they could be rallied again Cromwell landed in Dublin with eight thousand foot and four thousand horse. That able general had seen that Ormond's renewed efforts for the royal cause must be crushed in the bud, and had readily obtained the sanction of the Parliament of England to exterminate a race which had so imbued their hands in the blood of the saints. Landing on the 15th of August, he took Drogheda by storm on the 11th of September, and on the 16th sent home the following despatch to the President of the Council of State: "Sir,—It hath pleased God to bless our endeavours at Drogheda. After battery we stormed it. The Enemy were about three thousand strong in the town. They made a stout resistance, and near a thousand of our men being entered, the Enemy forced them out again. But God giving a new courage to our men, they attempted again and entered; beating the Enemy from their defences. The Enemy had made three retrenchments both to the right and left 'of' where we entered; all which they were forced to quit. Being thus entered we refused them quarter, having the day before summoned the Town. I believe we put to the sword the whole number of the defendants.

"I do not think Thirty of the whole number "escaped with their lives. Those that did are in "safe custody for the Barbadoes," &c.[1] This act of butchery is described by Ormond as "exceeding "anything he had heard of in breach of faith and "inhumanity," and it was indeed a sanguinary massacre contrary to all the rules of civilized warfare; for the garrison of Drogheda, instead of being the Irish who had perpetrated the atrocities of 1641, consisted of the last remnants of the loyalists, at the head of whom were Sir Arthur Aston and Sir Edmund Verney.

Cromwell, however, had not come to Ireland to destroy the Irish, but royalty; instead, therefore, of marching northward against O'Neil, he was, on the 1st of October, before Wexford. Repeating here the bloody scenes of Drogheda, he struck such terror into the minds of a people broken down by eight years of warfare, that he was afterwards enabled to send his army into winter quarters without fear of their being molested. During the winter months the Earl of Ormond made vigorous efforts to reorganize his forces; and in the following spring Clonmell was enabled to hold out, in spite of a terrible assault in which the assailants lost two

[1] O. Cromwell's Letters, &c., by T. Carlyle, vol. i., p. 457.

thousand men. But it was a final effort, and soon after Cromwell was at leisure to sail for England, whilst Ormond could not persuade the Roman Catholic cities of Ireland to receive the broken remnants of his army.

At this juncture Charles II., then in Scotland, by dictation of his covenanting masters, issued a proclamation annulling the concessions which had been made by his father in 1638. Ormond's position became untenable. He once more left the kingdom, 11th December, 1650, in company with many of his chief officers, the Marquis of Clanricarde remaining behind, in the vain hope of being still of use to the royal cause. But the country was so exhausted that that nobleman, after a helpless struggle, which lasted till the end of 1652, requested leave of the Commonwealth to sail for England, where he was allowed to remain in peace till his death in 1657.[1]

Royalty in Ireland being now exterminated, the people were made to feel the full advantage of a republican government. Under Charles, the Roman Catholic religion, though not recognized, had been tolerated. Under Cromwell, the penalties against it were enforced with all their rigour. "As for that

[1] Memoirs of the Marquis of Clanricarde. Lond. 1757.

"which you mention concerning liberty of con-
"science," wrote he to the Governor of Ross, "I
"meddle not with any man's conscience. But if by
"liberty of conscience you mean a liberty to exer-
"cise the Mass, I judge it best to use plain dealing,
"and to let you know, Where the Parliament of
"England have power *that* will not be allowed of."[1]
No sooner was the power of Parliament paramount than a high court of justice was erected at Dublin for the trial of those concerned in the outbreak of 1641; but, strange to say, few of the Ulster men, and none of note beside Sir Phelim O'Neil, were tried thereat, whilst its wrath fell heavily on the gentry of Leinster and Munster. But then, the natives had but few estates left to divide amongst the conquerors, whilst the others were worth a process of outlawry and confiscation.

Such were the results of the war generally known as the Irish Rebellion of 1641, the details of which form a perfect chaos. Each party, each province, had its armies. Battles and skirmishes were every-day occurrences. There were Scotch in the north who had accepted the Covenant; others who would not. There were Roman Catholics who were ready to die for their faith and the king; others for

[1] O. Cromwell's Letters, by T. Carlyle, vol. i., p. 477.

their faith and the Pope. There were Church-of-England men hot for bishops and the Thirty-nine Articles; Presbyterians equally prejudiced against both. There were vain, empty-headed noblemen, like the Marquis of Antrim or the Earl of Glamorgan, alternately playing the courtier in England or compromising their king in Ireland, to work out some petty personal ambition. There were sturdy Protestant lords, like Inchiquin and Broghill, siding with the confederates or Parliament as their feelings of loyalty suited with their self-interest. Add to these, innumerable brave soldiers whose estates were on their backs—cousins and nephews of great men—who loved this turmoil and warfare, and we have the actors in this great drama, the chief objects of which were frequently forgotten amidst numerous petty jealousies, defended under the one great name of religion—"A word of that large extent," said Ormond, as he reflected over these matters, "that all the rebellions "of this age have been shrouded under it."[1]

[1] Ormond to L. Taafe, Carte, vol. iii., cccxciv.

## CHAPTER V.

### THE ACT OF SETTLEMENT.

In 1635 an English gentleman, Sir William Brereton, visited Ireland. He found the lower class of natives rather barbarous, but describes the land as a peculiarly pleasant one. Drogheda possessed "divers "fair, neat, well-built houses, and houses and shops "well furnished." Dublin was, beyond all exception, "the fairest, richest, best-built city" he had met on his travels, "after York and Newcastle." Between these two towns he saw "much rich corn-"land, and the country well planted." In the county of Wexford he visited "a brave house of my "Lord of Baltimore's, at Claghaman; the stately "house of Sir Adam Colclough, at Kinneagh;" and Sir Morgan Cavanagh entertained him at Clonmullen "with good beer, sack, and claret, whereof "he was no niggard." In the principal towns, inns

were as general, and not much worse, than those in England. At Carrickfergus, Mrs. Wharton, a Chester woman, gave Sir William "good lodging and usage "for 6*d.* ordinary, 4*d.* a night hay, and oats 6*d.* "peck and provender." At Dromore, the hostelry was one of the best in the north of Ireland. At Enniscorthy, he was satisfied with his landlord, one Plummer, a Scotchman; and at Waterford, "baited "at the King's Head, at Mr. Warde's, a good house, "and a very perfect, complete, gentlemanlike *host*."[1] But eighteen years of civil warfare completely changed the scene. "The plague and famine had "so swept away whole counties," says one of Cromwell's officers, "that a man might travel twenty or "thirty miles, and not see a living creature, either "man, beast, or bird, they being all dead, or had "quitted these desolate places. Our soldiers would "tell stories of the places where they saw smoke, "it was so rare to see smoke by day, or fire or "candle by night."[2] The depopulating of the country had indeed been frightful. Previous to the rebellion the population of Ireland had numbered about 2,200,000. Of these, about 220,000 were English settlers, 1,100,000 Anglo-Irish, of whom more than

[1] Travels, by Sir William Brereton, Chetham Soc.

[2] Col. Lawrence, Interest of Ireland, 2nd part, pp. 86, 87.

800,000 were Papists. In Ulster there were 100,000 Scots. Of the English settlers about 112,000 had perished or returned to England. Of the Irish and Anglo-Irish about 500,000 had disappeared, many of whom had emigrated, enlisted into the Spanish and French service, or been sold to the West Indies by orders of the Commonwealth; the average price for these white slaves being 25*l.* per man, and 5*l.* per child; and amongst this mass of dead, slaves, and emigrants was every man of note in Leinster, Munster, or Connaught.[1] For the conquerors to parcel out the country under circumstances like these was not difficult. Such of the Anglo-Irish or natives as remained were ordered to transplant themselves into Connaught, and not go within two miles of the Shannon, four of the sea, or four of Galway. The remainder of the island was then surveyed, and the fiery fanatics who had stormed Drogheda and Clonmell, and to whom 1,750,000*l.* were due, received their arrears of pay in the form of allotments; the highest value attached to land being 12*s.* per acre, and the lowest 4*s.* A few grants were also made to certain individuals who had been

[1] Political Survey of Ireland, by Sir William Petty. Amongst other slaves of note we find Fitzgerald, Dean of Cloyne, recommended by Clarendon for the bishopric of Cashel, partly for his having been sold to the West Indies.—Clarendon, State Letters, vol. i. p. 56.

induced by the Parliament of England to advance money to the State in 1642, for the purpose of sending troops to Ireland to put down the rebellion, on promise of being indemnified by the estates of the rebels, whence they had been termed "Adven-turers."[1]

Yet once more, before long, corn waved in the plains and cattle roamed over the hills. Homesteads arose amidst the blackened ruins of a once lordly castle, and on each sabbath numberless conventicles praised the Lord for having given the victory to his servants over the worshippers of Baal, upon whose priests were launched all the terrors of the 27th Eliz., and for whose apprehension was offered a reward of five pounds.[2] But the land was not to know rest for long. In 1660 Charles II. was restored to his kingdom, and with him returned all that remained of the emigrants of the last war, looking eagerly forward to their restoration. No

[1] Some 360,000*l.* had been advanced; but the troops raised, some 5000 foot and 500 horse, had been ordered to march against Charles instead of against the rebels. Half the lands in Westmeath, Tipperary, Meath, King and Queen's Counties, Limeric, Waterford, Down, Antrim, and Armagh were put aside for them. The rates laid down were Ulster 4*s.* an acre, Connaught 6*s.*, Munster 8*s.*, and Leinster 12*s.*; that for the army was the same, most of the privates selling theirs to such of their officers as wished to purchase them.—Cromwellian Settlement in Ireland, by T. P. Prendergast. London, 1865.

[2] Memoirs of the Earl of Orrery, vol. i.

sooner, also, had the aspect of public affairs rendered the king's return certain, than Broghill, Coote, and other republican leaders who had made their fortunes by the Commonwealth, seeing that the only way to keep them was by becoming royalist,[1] hastened to proclaim the Stuart, and to unblushingly assert that they had saved the monarchy from the unnatural rebellion of the Anglo-Irish. Now the latter had nobly atoned for their fault by the manner in which they maintained the terrible struggle against Cromwell, and the obedience they had shown to Charles II. during his expatriation. With "Ormond" as watchword, they had been massacred at Drogheda in the name of "our Lord God."[2] At Ormond's solicitation, they left the French service by whole regiments, when Mazarin made a treaty with the usurper.[3] On their return, they looked to Ormond to plead their cause, and to remind Charles of a promise he made in Breda, in 1650, to maintain the treaty of 1648.[4] But Ormond forgot all, excepting the wars he had waged up to 1648, and his Church of England notions. It was many years since he had been able to indulge in the latter

[1] Clarendon, Life, vol. ii. p. 219.
[2] Cromwelliana, p. 64.
[3] Carte's Ormond, book v.
[4] Ibid.

freely; for though the refugees, in the midst of their miseries, would sometimes squabble on church questions, Ormond had learnt to avoid hurting the feelings of the Roman Catholics, lest he might injure his master's cause. But now that the king had his own again, and that the deceitful policy[1] bequeathed by Charles I. might be carried on without fear, Ormond threw over the cause of the Roman Catholics, and assisted in drawing out a "declara-" tion for the settlement of Ireland," the preamble of which asserted that the "Irish rebels were con-" quered by his Majesty's Protestant subjects in his " absence." Before the rebellion, the meaning attached to the word Protestant, in legal language, was Church of England. Now the conquerors of Ireland had been Cromwell, Ireton, and Ludlow; the rebels, Ormond and Clanricarde. But the Re-

[1] It had ever been Charles I.'s intention to revoke the compact he had made with the Irish as soon as he had re-established himself in England, and on the 10th Oct. 1648, he thus wrote to Ormond:—

"ORMONDE,—Lest you might be misled by false rumours, I have " thought fit by this to tell you my true condition. I am here in a " Treaty, but such a one, as if I yield not to all that is proposed to me " I must be a close prisoner, being still under restraint; wherefore I " must command you two things, first to obey all my wife's commands, " then not to obey any public command of mine until I send you word " that I am free from restraint. Lastly, be not startled at my great " concessions to Ireland, for they will come to nothing. This is all " at this time.—From your most real constant friend, CHARLES REX." —Carte's Ormond, Appendix, No. xxxi.

storation was not the time to be fastidious. Broghill was created Earl of Orrery; Coote, Earl of Mountrath; and they were appointed lords justices, with power to tender the oaths of supremacy and allegiance to all his Majesty's subjects. A Parliament was assembled before the returning emigrants could influence the elections, and the Act of Settlement[1] was readily passed. It confirmed to the "adventurers" all the lands possessed by them on May 7, 1659; to Cromwell's soldiers all the estates they could prove a legal right to, excepting church lands. The few Church of England men who had followed the king's fortunes were to be restored to their estates; and if these were possessed by either "adventurer" or "soldier," they were to be reprized, and not be accountable for the mesne profits. Such Papists as were "innocent" of rebellion were to be restored on the same terms, unless their former possessions were within corporations, when they were to be reprized in the neighbourhood; for native Papists were neither to hold property nor trade within corporate towns. A few papist noblemen and gentlemen, "innocent" of rebellion, were included, for having maintained the peace of 1648,

[1] 14 & 15 Char. II., Irish Statutes; The Declaration is dated 30th Nov. 1660, passed 14th April, A.D. 1661.

and served under the king's ensigns abroad, whence they were termed "ensignmen." This Act was nearly tantamount to recognizing that the settlements of land under Cromwell would not be disturbed; for almost every Roman Catholic in the country had been more or less guilty of rebellion before 1648. Ormond, created a duke, proceeded to Ireland to carry out the provisions of the Act; but, to the dismay of its framers, such an extraordinary number of innocents proved their claims by bribing influential courtiers,[1] that a Bill of Explanation had to be brought in, allowing further time for these numerous claims to be proved. The "adventurers" and "soldiers" now felt that their property was in jeopardy, and this ill-feeling was aggravated by Ormond purging the army of all Anabaptists and fanatics, and the passing of the Act of Uniformity.[2] The consequence was, an extensive conspiracy of the republican party, in conjunction with the fanatics in England and the Cameronians in Scotland. Dublin and the chief towns in the north were to be seized; but the plot failed, and it had merely the

[1] Before 1664 there had been four thousand claims of innocency. Amongst others who were thus bribed we find Sir Charles Berkeley, Sir Audley Mervyn, Lord Carlingford, Sir Gilbert Gerard, &c.—See Carte's Ormond, vol. ii. pp. 295—297. For division of Ireland in 1664 see State Letters of the Earl of Orrery, vol. ii. p. 187.

[2] 14 & 15 Char. II. Irish Statutes.

result of adding a few more estates to satisfy the innocent Papists, and causing a fresh Act of Explanation to be passed in 1665. This, however, answered no better than its predecessors. If most of the Anglo-Irish had obtained something, it was not what they once had,[1] and the native Irish had scarcely got anything in the scramble: large numbers, indeed, were wandering about the country without any means of settling.[2] The Cromwellians had had to disgorge largely to the Church, and were besides disgusted by an Act passed by the Parliament in England in 1663, which prohibited the importation of Irish cattle into England.[3] Ormond, Orrery, and other men in power were alone satisfied: they had got enormous grants, and were

[1] See the case of Sir Patrick Barnwall in Carte's Ormond, vol. ii. p. 306.

[2] "Few of the Irish nobles," says O'Donovan, in the tribes and customs of Hy. Fiachrach, "had in 1664 as much land as they could be buried "in."—Irish Arch. Soc. "I know not what to do with these vagrant "Ulsters," writes Orrery; "they commit no offence which might give "me a legal rise to secure them, or drive them out of this province "(Munster), but certainly it is not fit such herds of people should "move up and down a kingdom as they think fit."—Memoirs of Earl of Orrery, 1666.

[3] This Act seems to have hurt England quite as much as Ireland; see Britanica Langueus, or a Discourse upon Trade, 1680, republished by the Political Economy Club, 1856; "Cloggs upon Trade;" and "Fifthly, by means of the late Irish Acts against importation of cattle, "the Dutch and French can and do victual their ships cheaper with "such victuals than the English can do in England, whereas before, "England could victual cheaper than any nation in the world."

proud of being the chiefs of a powerful Church of England minority, which divided amongst its members the loaves and the fishes. "I consider," writes Orrery to Ormond, "Ireland as consisting of three "sorts of people—the Protestants, the Scots Pres- "byters and other sectaries, and the Papists. By the "best calculations I could make, I cannot find the "Protestants, including the army, to amount to "above forty thousand men fit to bear arms. I "believe the Scotch Presbyters and other sectaries "are double that number, and the Papists quad- "ruple the number of both; but then the Pro- "testants, to counterbalance the greatness of the "other two, have the king's authority in their "hands, together with the arms and garrisons."[1] If, however, Ormond, from bigoted motives, opposed the restoration of the Anglo-Irish to their former position in the country, he opposed the more violent proposals of such Protestants as Orrery, and prevented the extension of the Titus Oates plot to Ireland."[2] Indeed, of all the public men which the

[1] State Letters of the Earl of Orrery, Dec. 14th, 1660. Sir W. Petty estimated the population in A.D. 1672 at 1,320,000.

[2] Irish Popish Plot, &c., by D. FitzGerald. London, 1680; The several informations of John Macnamarra, Maurice FitzGerald, and James Nash, relating to the horrid Popish Plot in Ireland, &c. London, 1680; Mr. Smyth's Discovery of the Popish Sham Plot in Ireland. Dublin, Dec. 1681.

Revolution of 1641 called forth, the Duke of Ormond has left the fairest reputation. If he sought to increase his estates, and uphold the authority of his favourite church, he remembered with pride that his ancestors had allied themselves with English houses, had borne English honours with distinction, and had ever been loyal to their king. His feelings of right and wrong were also stronger than those of loyalty; and if in his old age he can be accused of saying, "I was much to seek, what it could be "that was fit for the king to command, and yet "would be hard to impose on me to execute," neither Charles I. nor his successors would let him know the secrets they imparted to a Glamorgan or a Tyrconnell."[1]

It was, however, perfectly impossible that the arbitrary enactments against the Roman Catholics should remain long unopposed. The intercourse of every-day life demonstrated the absurdity of preventing their holding property or trading within corporate towns, and these points had to be conceded to them. It was, then, but natural that such as made a fortune

[1] "One thing," writes Ormond to Lord Digby, "I shall beseech you to "be careful of, which is to take order that the commands that shall be "directed to me touching these people (the confederate Catholics) if any "be, thwart not the grounds I have laid to myself in point of religion, "for in that and that only I shall resort to the liberty left to a subject "to obey my sovereign."—Carte, vol. iii. p. 534.

by trade should wish to become members of corporations. But on this subject the Protestants were inexorable. The election of the majority of members of the House of Commons rested with the Corporations, and so long as the Protestants kept this matter in their own hands, so long could they frame such laws as they pleased. This matter is clearly explained by Archbishop King, in his "State "of the Protestants of Ireland:" "Whoever knows "the Constitution of England and Ireland," writes that prelate, "must observe that the subjects have "no other security for their liberties, properties, "and lives, except the interest they have of choosing "their own representatives in Parliament. This is "the only barrier they have against the encroach-"ments of their Governor. Take it away, and they "are as absolute slaves to the king's will, and as "miserable as the peasants in France. Whoever, "therefore, goes about to deprive them of this "right utterly destroys the very constitution and "foundation of the Government. Now, the Pro-"testants of Ireland finding the necessity of se-"curing this right in their own hands, to preserve "the kingdom in prosperity and peace, had pro-"cured many corporations to be founded, and built "many considerable corporate towns, at their own

"cost and charges. They thought it reasonable to "keep these in their own hands, as being the "foundation of the legislative power, and therefore "excluded Papists, as enemies to the English "interest in Ireland, from freedom and votes in "them by the very foundation and rules of plant- "ing them. This caution they extended by a law "to all other corporations in the kingdom, excluding "Papists likewise from them; which they justly "did, if we remember that these Papists had for- "feited their right in them, by their rebellion in "1641, and by their having turned those towns, "where they had interest, into nests of traitors "against the king, and into places of refuge for the "murderers of the English; insomuch, that it cost "England some millions to reduce them again to "obedience; witness Kilkenny, Waterford, Galway, "Limeric, and every other place where they had "power to do it."[1] This argument of the Archbishop held good so long as might was right, but as year by year the Roman Catholics strengthened their position, they began to assert that they were equally entitled to those political privileges which had been earned and bequeathed to them by their forefathers as the Puritans, who had been equally rebels against

[1] King's State of the Protestants, ch. iii. sec. iv.

the king. The justice of their complaint was at last recognized by Charles II.; and, in 1671, Lord Berkeley, when lord lieutenant, pointed out to the several corporate bodies the unfairness of preventing a native Papist being free of the corporation, when Papists if foreigners were not so debarred,[1] and recommended that such Papists as were freemen by inheritance should be restored to their privileges. But the Protestants, actuated by the most selfish policy, would not give way, and kept up a constant agitation respecting Irish insurrections and Popish plots, statements in which there was more truth than they imagined.

Soon after the accession of James II., that monarch sent over, as lord lieutenant, the Earl of Clarendon, a devoted adherent of the Church of England, with public instructions to maintain the Act of Settlement in all its integrity. But James was then, as he had been for some time, secretly plotting with the Roman Catholics to repeal the Act of Settlement.[2] His chief agent in this matter was

[1] Lord Essex's Letters, pp. 185—187.

[2] Writing from England to his master, Oct. 16th, 1687, Barillon says:—"Milord Sunderland m'a dit que le Roy son maître est résolu "de renverser l'établissement fait des biens des Irlandois Catholiques "aux Anglais Protestants après le retour du Roy d'Angleterre que cela "est encore tenu fort secret, mais qu'on y travaillira bientôt, et que les "mesures sont prises pour en venir à bout. Le renversement de cet

Colonel Richard Talbot, a younger brother of Sir Robert Talbot, of Carton, county Kildare, a branch of the Talbots of Malahide, who had fought against Cromwell, and attracted, by his gallantry in the Low Countries, the notice of the Duke of York. At the Restoration, the Duke appointed Talbot one of his bedchamber-men, and in this position he carried on a lucrative business as agent for those amongst his countrymen who required Court intrigue to get back their estates.[1] Another brother, Peter,[2] a priest, was also in the intimacy of the royal family, and was created titular bishop of Dublin. When Clarendon proceeded to Ireland as lord lieutenant, Colonel Talbot was sent over, ostensibly, as commander-in-chief, in reality to assist the cause of the Papists. No one could have executed this commission better. An ambitious courtier, utterly

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" établissement fait en faveur des rebelles, et des officiers de Cromwell, " est regardé icy comme ce qu'il y a de plus important ; et s'il peut " être executé sans opposition, ce sera une entière séparation de l'Irlande " d'avec l'Angleterre pour l'avenir. C'est le sentiment général de tous " les Anglois."

[1] Ce zele pour sa nation étoit fort louable ; mais il n'étoit pas tout-à-fait désintéressé. De tous ceux que son crédit avoit rétablis dans une partie de leurs biens, il avoit ecorné quelque petite chose, mais comme chacun y trouvoit son compte, personne n'y trouvoit à redire.—Mémoires du Comte de Grammont, par A. Hamilton, ch. ix.

[2] " Aumonier de la reine, Jesuite intrigant, et grand faiseur de " mariages."—Ibid.

fearless, having no political principle beyond a desire to see the Anglo-Irish once more ruling the land, he became the terror of Lord Clarendon and of all Protestants. The unfortunate lord lieutenant, though strongly imbued with the doctrines of passive obedience, and dearly loving a post of honour, was also in constant fear of being discovered acting against any rule as by law established, whence arose a perpetual struggle in his mind between breaking the law to please his sovereign, and resigning his appointment. This unhappy position was daily aggravated by Talbot, who would boast to his friends of the changes their master was going to effect, and which Clarendon would to his grief see realized without his having been consulted. In vain did Clarendon expostulate; he had but to obey. In 1685 he was required to disarm the Protestant militia. The following year he had to force twenty corporations to sanction the admission of Roman Catholics, and to remain a silent spectator when Talbot purged the army of Church of England men, in the same manner as Ormond had of sectarians. In obedience to his master's orders Clarendon displaced one Protestant judge after another, and filled the bench with Papists. Had he remained longer in Ireland he would have appointed Roman Catholic

sheriffs,[1] but as he continued to expostulate, he was replaced in the Government by Richard Talbot, created Earl of Tyrconnel. This appointment showed but too plainly the support which the Roman Catholic interest was to obtain from the crown. The Protestants had now real cause for alarm, for the difference between Protestant and Roman Catholic in Ireland was simply that of English and Irish,[2] and the term Irish then included all who had property in the country prior to 1653. Fifteen hundred families accompanied Clarendon on his departure, and the whole country was once more thoroughly unsettled. Many Protestants firmly believed that it was the conscientious duty of a Papist king to destroy them, and Tyrconnel, who swore in the most cavalier style, did not endeavour to allay this feeling. One of his first acts was to remodel the corporations, a necessary precursor to

[1] "I could wish I knew the king's wish about the sheriffs, now I know "his Majesty's resolution that Roman Catholics should be admitted "into those offices I did intend to have put them into several counties "where it had been most proper, and I would have put in men known "to be good men."—Clarendon to Lord Treasurer, Nov. 30th, 1686; State Letters of Henry, Earl of Clarendon. Oxford, 1765. His submission to the king was unbounded, vol. ii. pp. 30, 56.

[2] "And the king himself seemed to me to be of that opinion that the "great contention here was more between English and Irish than "between Catholic and Protestant, which certainly was a true notion." —Clarendon to the Lord Treasurer, March 16th, 1685-6; State Letters. Oxford, 1765.

obtaining such a Parliament as he desired. In this he acted as his predecessors had done. We have seen that when James I. desired to confiscate the northern counties, and divide them amongst his Presbyterian friends, he created innumerable new boroughs, to which mayors, bailiffs, and aldermen were nominated, almost before a house had been erected. We have seen also how Strafford, to carry out his objects, so proportioned the Roman Catholic and Presbyterian interests, that neither could outvote the other without the assistance of a certain number of Government placemen, returned by boroughs still in a state of infancy. Tyrconnel, finding that Dublin and most of the northern cities still held out against granting the freedom to Roman Catholics, closed the whole question by obtaining leave from James to issue writs of *quo warranto* against all the corporations, and bestow new charters, in which he was empowered to name the first members of the corporations. These were rendered as thoroughly Roman Catholic as the former had been Protestant, and a Roman Catholic House of Commons was the result.

Archbishop King loudly bewailed the unfortunate position in which the Protestants were placed, and for want of better weapons called his Roman

Catholic fellow-subjects many bitter names. There was, however, yet left amongst the Protestants a very strong leaven of the Cromwellians and Covenanters, who remembered with pride how they and their fathers had ruled four times their own number, and who were determined that the properties which they had gained by the sword should at least be won back by the sword. Many of these estates were worth the experiment. Thus we find Sir William Petty landing at Waterford, in 1652, as physician to the Parliamentary forces, with a capital of 500*l.* and a pay of 20*s.* per diem, to which he added, by private practice, some 400*l.* a year. In 1654 he obtained a contract for measuring the lately forfeited lands, by which he cleared 9000*l.*, most of which he invested in land, then worth almost nothing; for that which in 1641 would cost 20*s.* per acre, in 1655 he purchased for 2*s.* 6*d.*, and so uncultivated was it that corn, which in 1641 had been 12*s.* per barrel, in 1650 was 50*s.* But these new landowners tilled their ground, built houses and barns, chapels and schools; and Petty, in 1685, got as much by rent as he had originally paid for his investments, and finally died worth 15,000*l.* a year.[1] It was such properties that the Roman

[1] Petty's Political Survey of Ireland.

Catholics wished to get back, and that the Protestants thought worth a struggle. They gathered themselves together in the principal cities of the north, and when James fled to France, Londonderry, Enniskillen, Sligo, Coleraine, &c., declared against Tyrconnel, and on March 9th proclaimed King William.

Tyrconnel, foreseeing the storm which was brewing, had, in February, 1688, ordered the Protestants of Dublin and other cities to be disarmed, and increased his army to thirty thousand men. In March, 1689, James II. landed near Cork, accompanied by D'Avaux, one of the most able diplomatists of the age, De Rosen, a brave and experienced, though perhaps too cautious general,[1] and a numerous retinue. He created Tyrconnel a duke, proceeded to Derry, then besieged by his forces, and shortly after returned to Dublin, to hold a Parliament summoned by Tyrconnel. Protestant writers of that time would have it be believed that this Parliament consisted of the scum and rascality of the whole kingdom;[2] but any one who will take the

[1] C'étoit un excellent officier, fort brave et fort appliqué, très propre pour être à la tête d'une aile, mais incapable de commander une armée par la raison qu'il craignoit toujours les événemens.—Mémoires du duc de Berwick, p. 348.

[2] King's State of the Protestants.

trouble to examine the list of its members[1] will find that it simply represented the great Anglo-Irish community, the "Old Interest" instead of the "New Interest," as the settlers since 1652 were called. Callan and Gowran had once more returned a Butler, Meath a Barnwall, Galway a Burke and a Blake, Kilkenny a Grace, Waterford a Power, Taghmon a Hore, Clonmel, Naas, and Newry a White, Longford or O'Farrell. The tables were turned. A Roman Catholic king, with a Roman Catholic Parliament, repealed the Act of Settlement, passed an Act of Attainder against two thousand six hundred Protestant absentees, in which a clause was inserted, that the king could have no power of pardoning after the 1st of November; and to render it the more certain in its operation, the Act was not published till four months after the time limited. James has been blamed for thus driving into irreconcilable enmity a section of his subjects, which, if not numerous, was at least powerful, from having ruled Ireland forty years, and whose rights he had sworn to preserve. At the same time it should be remembered, that, in the position in which he was placed, he could not afford to alienate his Roman Catholic subjects by refusing them the long-

[1] Appendix to Harris's Life of William III.

looked-for prize of again inheriting the property of their forefathers; and it must be said in their favour that they were but paying off their enemies in their own coin, with a better right to do so. But Irish Protestants, as a mass, cared little either for Acts of Attainder or repeals of Acts of Settlement, for they felt that these questions had to be decided in a very different way. The citizens of Derry, closely pressed by De Rosen, manfully held out their town until relieved from England. Enniskillen, which was the next point attacked, imitated the example of Derry, until Marshal Schomberg landed near Carrickfergus with some ten thousand men. That fort speedily surrendered, and Schomberg took up his quarters near Dundalk, thus securing possession of Ulster. He, however, studiously avoided being drawn into any engagement with a more numerous and better-supplied enemy, lest any success on their part should injure William's cause in England; and with this fixed determination he remained there until forced to go into winter quarters by dysentery and fever, the usual accompaniments of a campaign in Ireland.[1] In the spring Schomberg was reinforced by seven thousand Danes;

[1] Despatch of the Duke of Schomberg to King William in Sir John Dalrymple's Memoirs, vol. ii.

and James by five thousand French under Lauzun, whom he had exchanged for five Irish regiments and D'Avaux.[1] Skirmishes again took place in various directions. Schomberg took Charlemont, whilst De Rosen once more pressed Enniskillen, and in this state of things William landed at Carrickfergus, the 14th of June, 1690. His first movement was to force the passage of the Boyne, on the south bank of which James had drawn up his army; and on the 1st of July, 1690, was fought that famous action which did so much towards deciding the liberty of England and the freedom of Protestantism in Europe. With William were Dutch and Danes, Huguenot French and Protestant English. With James were Roman Catholic French and Irish. In numbers and discipline the armies were pretty well matched; but William was a distinguished soldier, and Schomberg had a European fame, whilst neither James nor Lauzun were capable of manœuvring troops. William detached his right wing, which crossed the river higher up, and turned James's left, whilst he himself led his centre and left across. The loss of life on either side was but small, yet William won a great victory, for James fled rapidly to Dublin, and, after abusing

[1] Memoirs of the Duc de Berwick.

its corporation, continued his route to Waterford, where he embarked for France; and his astonished troops, who had retreated in perfect order, received instructions, on reaching Dublin, to make the best of their way to the other side of the Shannon. William, following slowly in their rear, attended divine service at St. Patrick's, Dublin, on the 5th of July.

Freed from the presence of James, the leaders of the Irish army adopted the best plan which circumstances and the nature of the country permitted. This was a line of defence extending from Limerick to Athlone. Strong garrisons were placed in both these fortresses, the latter of which protected Galway, and the former afforded a base for the French allies; whilst an army was to manœuvre on the west bank of the Shannon ready to support either. William moved a column, under General Douglas, against Athlone, and marched the remainder of his forces through Carlow and Kilkenny to Waterford. Colonel Grace, who commanded at Athlone—a worthy descendant of Raymond le Gros—forced Douglas to raise the siege and to retire in disorder; upon which William directed all his energies against Limerick. But the people of that city, having exchanged James and Lauzun for Sarsfield, Berwick,

and Boisleau, showed that they could fight as well as the citizens of Derry, and after a terrible assault, repulsed with great loss, that siege had also to be raised.[1] William, seeing there was nothing more to be done that year, gave up the command to Count Zolmes, and sailed for England. Lauzun and Tyrconnel, who commanded the forces which were to manœuvre between Limerick and Athlone, might have effected much at this juncture, but they merely quarrelled as to who was to command. Zolmes, unmolested, retreated quietly on to the Blackwater and the Suir, where he posted his army at Mallow, Clonmel, and Waterford, with his head-quarters at Kilkenny, and then handed the command over to General Ginckel.

Whilst both armies were going into winter quarters, the Earl of Marlborough, then in England, proposed to the Privy Council to try an expedition on the south of Ireland. The Council, to annoy William, granted five thousand men, and orders were sent to the army in Ireland to cooperate. Marlborough reached Cork Harbour on the 21st of September, and the Duke of Wurtem-

[1] Harris states William was obliged to raise the siege on account of heavy rains; Berwick distinctly states that it was a matter of surprise that no rain fell during the siege.

burg the north side about the same time, with four thousand Danes from Mallow. Cork and Kinsale soon fell. The winter, however, put an end to campaigning, though not to strife. Early in the war William had been induced to issue a "Commission of forfeited lands and other forfeitures;" and its members, says Leland, "though they harassed the country yet made inconsiderable returns into the Exchequer." Ginckle, in hopes of bringing over some of the Irish, wished the lords justices to issue a proclamation of pardon and security, for person and property, to all those who would come in and accept his Majesty's peace. William was also anxious for this; but the lords justices refused.[1] In the mean time every preparation was made for a renewal of the struggle. Danes, Dutch, and Germans reached Dublin; French and Irish, who had been campaigning in the Netherlands, arrived at Limerick, and St. Ruth came to take the command of James's army. When the spring came, Ginckle made one more appeal to the lords justices to put an end to the war by a proclamation of mercy; but, as has been drily remarked by O'Driscoll, in his graphic narrative of this contest, "the Council would not forego their hopes of for-

[1] Harris's Life of King William, p. 372; Leland, vol. iii. b. 6, ch. vi.

" feitures, nor the Church surrender its claim to " universal tithe and dominion."[1] Ginckle, forced to renew the contest, assembled his forces, and laid siege to Athlone, in which St. Ruth had placed a strong garrison, supported on the west side of the Shannon by his whole army. Athlone, backed in such a manner, was almost impregnable. Ginckle made three attempts to cross the river, but was repulsed each time with great loss. On the failure of the third attack, St. Ruth, making certain that Ginckle would not try again, withdrew the greater part of the garrison; but intelligence of this having been conveyed to the Dutch general, the assault was renewed the next morning, and Athlone was taken. St. Ruth at once retreated towards Galway, and took up a strong position near Augrim. Ginckle, who saw that with St. Ruth's forces unbroken, the taking of Athlone must be followed up by an engagement before a successful siege could be laid to either Galway or Limerick, attacked the French general, and, after a sanguinary conflict, in which St. Ruth *fell*, forced the position, and immediately marched on to Galway. The spirited defence of Athlone, and the heavy loss incurred at Augrim, made Ginckle, however, anxious to put an end to a

[1] O'Driscoll, Hist. Ireland, vol. ii.

war which appeared likely to be disastrous if further succours were sent from France. He therefore offered such terms of free pardon and security of property to the inhabitants of Galway, in addition to a free passage for its garrison to Limerick, that it readily surrendered. Limerick was now the sole town left to James; but it formed a basis from which Ireland could be reconquered. Within its walls was a numerous and gallant garrison; a large fleet was then assembling at Brest, to bear over strong reinforcements, whilst William's affairs in the Netherlands had lately been unsuccessful, and he could not well any longer afford the large forces he had in Ireland. It was consequently necessary to obtain the surrender of Limerick on any terms before the arrival of the French expedition. Tyrconnel had just died of fever, and Sarsfield, who succeeded him, had not the talent of uniting the various interests which will ever break out in an allied camp. Ginckle was therefore enabled, after a short investment, in which both armies had more than one opportunity of showing their courage, to effect a treaty with the garrison of Limerick. On the one hand, the town was to be surrendered, and William was to be recognized as King of Ireland; on the other, the Roman Catholics were to enjoy

the same freedom of religion as they had done under Charles II.; all those then in Ireland who were in arms for King James, were to be restored to their rights and properties on taking the oath of allegiance to the new king; all who declined doing so were to be permitted to go abroad; and a Parliament was to be called to give effect to these arrangements. This treaty was signed, on the part of William, by Generals Ginckle, Sgravenmore, Maccay, and Talmash; on the part of the Government by the Lords Justices Coningsby and Porter; on the part of France by D'Usson, Latour Montfort, Le Chevalier de Tessee; on the part of James and the Irish by Sarsfield, Galmoy, M. Purcell, Mark Talbot, and T. Wauchop. The Irish army, having done its duty, broke up. Two thousand men joined King William's standard; a large proportion, including King James's royal regiment, fourteen hundred strong, joined that of Louis; the remainder dispersed to their homes.

Thus ended the natural and necessary result of the Restoration. Sooner or later the Act of Settlement must have been decided by the sword, and each year which saw the contest delayed only added to the number of the combatants and the bitterness of their disputes. When the war did break out it

was carried on with equal vigour by both parties. The men of Derry and Enniskillen, the Dutch and Danish levies, were quite as ferocious, quite as unprincipled, and quite as much given to marauding as the men of Tipperary or Clare, Boisleau's infantry, or Sarsfield's horsemen. But the Protestants, by a train of circumstances which had led to a European war, obtained the victory; and the Roman Catholics, finally forgetting their old animosity of race, fell in one common cause.[1]

[1] Dalrymple's Memoirs, vol. ii. p. 72, part ii. vol. iii. p. 78; Harris's Life of King William, pp. 267, 322; Leland's Hist. of Ireland, vol. iii. p. 589; Burnet's Hist. Own Times, vol. ii. p. 39. Kelly's Macariæ Excidium. Irish Arch. Soc.

## CHAPTER VI.

### THE PENAL LAWS.

For many a long year after the events we have related, the history of Ireland is but a melancholy recital of religious intolerance and party vindictiveness. The reader should, however, bear in mind what the Irish Roman Catholic has very often forgotten, that this fierce bigotry was the characteristic trait of that age. All parties, and all religions, in power, would allow of no deviation from their own views. In France the Edict of Nantes had been revoked, and the Protestants persecuted. In New England, the descendants of those who had left the mother country, sooner than conform to the religion as by law established, had instituted a code against those who dissented from their dissent, as sanguinary as that of Philip II. against heretics.[1] Had the

[1] The celebrated Blue Laws of Connecticut.

Irish Roman Catholics been victorious in the war of 1690-91, they would undoubtedly have confiscated the lands of William's adherents, and history would have recorded a series of statutes against the followers of the Church of England. As it was, the tale runs the other way. No sooner had the last remnant of King James's army embarked for France, than the treaty of Limerick was most shamefully broken.[1] In accordance with the stipulations solemnly entered into at the time, a Parliament should have been summoned to ratify its provisions, but a Parliament sat in 1692 without taking notice of the treaty; and when another assembled in 1695, it was informed by the Lord Lieutenant, then Lord Capel, that his Majesty was intent on the great work of a firm settlement of Ireland upon a Protestant interest.[2] In those days the Lord Lieutenant represented in a very prominent manner his Majesty's opinion, and such an opinion thus expressed was a direct violation of a compact which William had himself signed under the great seal of England.[3] It has been urged in excuse that at this period William

[1] Harris's Life of William III., pp. 350, 357.
[2] Irish Com. Journal, ii. p. 279.
[3] Rt. Hon. E. Burke. His works, vol. ix. pp. 380-382.

had a difficult part to play. It is true the English House of Commons thought they could not sufficiently humble the Dutchman, and the Dutchman's pride was more than once so hurt to the quick, that had not his whole soul been bent on the arduous task of humbling France, he would have thrown up his crown of England, and willingly retired to his palace at Loo. But as far as regards the treaty of Limerick, the English Parliament behaved with great fairness, and limited itself to enacting that all persons in Ireland, holding any office or position whatever, should take the oath of allegiance.[1] But William had learnt to appreciate the wisdom of the lords justices, when they declined proclaiming a general amnesty. He therefore sanctioned the outlawry of three thousand nine hundred and twenty followers of King James in Ireland, at a time when but fifty-four people in England suffered for the same offence; and taking advantage of the consequent forfeitures of land, which amounted to 1,060,792 acres, he lavishly distributed them amongst his immediate friends. This act was too gross not to attract attention; and the English Parliament, in 1699, appointed commissioners to inquire into the matter. The following year they reported to the House that

[1] Note to Macaulay's Hist. England, vol. ii. p. 126.

Elizabeth Villiers, Countess of Orkney, had obtained 97,649 acres; Keppel, created Lord Albemarle, 108,000; Ginckle, Baron of Aughrim and Earl of Athlone, 28,480; Henri de Massue, Marquis de Rouvigny, created Earl of Galway, 36,148 acres; Bentinck, Earl of Portland and Lord Woodstock, 135,000. In consequence of this report a Bill of Assumption was introduced into the English Parliament, and passed,[1] much to the discomfiture of William; and it is worthy of observation that a clause was inserted in this Act especially protecting such of the Irish as had re-obtained estates in accordance with the treaty of Limerick, although it was stated by the commissioners that many of these restitutions had been corruptly procured. The Irish Parliament, however, was not so impartial. Taking advantage of the dispirited condition of the Roman Catholics, it enacted statutes against them from time to time, as insulting as they were oppressive. In 1694 Roman Catholics were prohibited from educating their children abroad.[2] In 1697 all priests were ordered to leave the kingdom before the 1st of May, 1698,[3] and marriages between Catholics and Protes-

[1] Report laid before the House of Commons in England, by Mr. Annesley in 1700 A.D.; Act of Resumption, 11 Will. III. c. ii; Parl. Hist., vol. v. p. 1202.

[2] Irish Statutes, 7 Will. III. c. iv. [3] Ibid. 9 Will. III. c. i.

tants were prohibited.[1] Then, by way of satire, was passed an "Act for the Confirmation of Articles, "made at the surrender of Limerick," which carefully omitted, amongst other clauses, the very first, guaranteeing to the Roman Catholic the free exercise of his religion.[2] In 1703 it was enacted that if the child of a Papist became a Protestant, whatever its age might be, the father could no longer act as its guardian, under a penalty of 500*l.*; and if the child were a boy, he inherited the whole of his father's property, however many elder brothers he might have. Papists were also forbidden to purchase any lands or tenements, or any rents or profits arising out of the same, or to take any lease for more than thirty-one years; and such as had not a Protestant heir to their lands were to divide them equally amongst their sons, failing sons, their daughters; and failing both, their collateral heirs. If a Papist held a farm producing a profit greater than one-third of the amount of the rent, the right in it was immediately to cease, and to pass over entirely to the first Protestant who should discover the rate of profit. Papists were to be deprived of such inheritance, devise, gift, remainder, or trust, of

[1] Irish Statutes, 9 Will. III. c. iii. By 10 Will. III. c. xiii. Papists were prohibited from being solicitors.

[2] Ibid. 9 Will. III. c. ii.

any lands, tenements, or hereditaments, of which any Protestant was, or should be, seized in fee simple, absolute, or fee-tail, which by the death of such Protestant or his wife ought to have descended to his son, or other issue in tail, being Papists, and they were to descend to the nearest Protestant relation, as if the popish heir and other popish relatives were dead.[1] The small remnant of the Roman Catholic gentry mustered courage enough to demand to be heard by counsel against the provisions of the Act, which privilege being granted to them, we find the curious picture of Papist counsel quoting Scripture and the right of common law at the bar of a Protestant Parliament, to urge upon it the necessity of observing solemn treaties, and of not passing enactments which would have disgraced a pagan state. The appeal was, however, made in vain, and the Commons sapiently remarked, in reply, "that 'the passing that Bill would not be a breach of the 'articles of Limerick, as had been suggested, be-'cause the persons therein comprised were only to 'be put into the same state they were in the reign 'of Charles II., and because in that reign there 'was no law in force which hindered the passing of

[1] History of Penal Laws against Irish Catholics, by Sir Henry Parnell, Bart., M.P.; Act to prevent the further growth of Popery, 2 Anne, c. vi.; Irish Statutes.

"any other law thought needful for the future "safety of the Government."[1] The Irish Catholic was to all intents and purposes an alien in the land of his forefathers, yet that was not considered sufficient. In 1709 an Act was passed explaining the Act against the further growth of Popery. By this, if the child of a Papist turned Conformist, the Court of Chancery could oblige the parent or parents to declare upon oath the full value of all his, her, or their estates, and order the property to be applied, then and there, for the support of such Protestant child or children. The popish wife of a Papist was to receive a provision on conforming, and a Papist teaching publicly in a school, or privately in a house, was to be deemed a popish recusant convict.[2] It must be admitted that the intellects which fixed such penalties had suggested those most likely to answer the object intended. To limit the power of

[1] Curry, Civil Wars of Ireland, vol. ii. p. 387, Appendix xvi.

[2] 8 Anne, c. iii.; Irish Statutes. By the 20th Clause the following rewards were fixed for the discovery of popish clergy and schoolmasters:

| | £ |
|---|---|
| For an archbishop, bishop, vicar-general, or any other person exercising any foreign ecclesiastical jurisdiction . | 50 |
| For each clergyman and each secular clergyman not registered according to 2 Anne, c. 7 . . . . . | 20 |
| For a schoolmaster or usher . . . . . | 10 |

By the 37th Clause, no Papist in trade, unless in the linen trade, could employ more than two apprentices.

a Papist to take leases for more than thirty-one years made him care but little for investing in land, till death gave him "a Protestant lease of the sod."[1] To prohibit the education of Papist children by Papists, either abroad or at home, secured their conforming or remaining in happy ignorance. To hold out the bribe of the father's property to conforming children brought into play every ill-feeling of which man is capable—impiety, ingratitude, hatred between father and son, brother and brother. But the penal law has never been found which could convert mankind to any one doctrine; on the contrary, persecution breeds obstinacy, and the ignorant sinner becomes elevated into the proud martyr. Besides, in Ireland there were still no means of exemplifying to the masses the greater wisdom of the Church of England. The Protestant Lord Clarendon complained of the absence of the bishops in England and of the disgraceful state of their dioceses.[2] Queen Mary, as head of the Church, wrote to William when in Ireland to take care of it, "for everybody

[1] It was in allusion to this penal law that the Irish rhymer made the attendants at the felon's wake sing—

"But when dat we found him quite dead,
In de dustcase we bundled his carcase,
For a Protestant lease of the sod."

—Sketches of Ireland Sixty Years Ago, p. 89. Dublin, 1847.

[2] Clarendon's State Letters, vol. i. p. 215.

"agrees it is the worst in Christendom."[1] Many years later the illustrious Bishop Berkeley gave a similar account.[2] Conformity meant not a belief in Church of England doctrines, but a disbelief in revealed religion, a profane working of the Christian faith,[3] and where there was no property men did not conform.[4] The youth of Ireland flocked to the Continent, and Romish priests abounded in the country, regardless of fines and imprisonment. In 1731 a report was made to the Irish House of Lords as to the state of popery in that kingdom. In the county of Mayo there were fifteen friaries. In the county of Galway ten friaries and a nunnery. In the diocese of Clonfert and Kilmacduagh there were fifty-three mass-houses, each with an officiating priest, nine private chapels, six friaries, one nunnery, and nineteen popish schools, whilst there were but fifteen churches where divine service was performed in accordance with the law. The Lords particularly remark on the fact that in Ulster, where popery was thought to be in the most languishing condition,

[1] Dalrym. Mem., vol. iii. p. 154.

[2] Bishop Berkeley's Works, vol. ii. p. 381, ed. 1784.

[3] Burnet's Hist. of his Own Times.

[4] The list of conformists from the 1 Anne to 1772 shows that no one of any note conformed, and in all that time numbered only some four thousand, many of them women and many sons. The certificates of conformity during that period in the Rolls Office are scarcely half that number.—Egerton MSS. 777, Brit. Museum.

there were fourteen convents.[1] The peasantry sought the healing qualities of wells and rocks in spite of Acts of Parliament.[2] One reason for all this was that the English Church had forgotten the great symbolical doctrine of the cloven tongues of fire. Its clergy objected to learning Irish, and considered that the people should be made to learn English,[3] in order to be taught the dogmas of the Protestant faith. The real harvest that was sought for was that of tithes, and the tithe proctor was the dread of the people. Indeed, Swift considered "that there could be no more certain way of con-"verting the Irish from the errors of popery, than "that popish priests should be established by law "in every parish in Ireland, with a right to tithes "of all Papists in their parish. As then his "reverence would consider himself as a legal incum-"bent, and behave accordingly, and apply himself "more to fleecing than feeding his flock: his neces-"sary attendance on the courts of justice would "leave his people without a spiritual guide, by

[1] The Lords' Journal, Ireland, A.D. 1731.

[2] By section 26, ch. vi. 2 Anne, resorting to a pretended sanctuary was to be deemed a riot.

[3] A Short History of the Attempts that have been made to Convert the Popish Natives of Ireland, by John Richardson, rector of Belturbet. London, 1713; The Great Folly, Superstition, and Idolatry of Pilgrimages in Ireland, by ditto. Dublin, 1727.

"which means Protestant curates who have no "suits about tithes would be furnished with proper "opportunities for making converts, which is much "wanted."[1]

But the Roman Catholics were not the only sufferers. Though the Protestant faith is said to have been founded on inquiry and knowledge, yet if the Church of England of that day excommunicated the followers of the Church of Rome, and under the name of Papists rendered them aliens in the houses of their forefathers, it equally anathematized the Protestant, who, after inquiring into the doctrines of the Gospel, differed from Cranmer. There was, in fact, no salvation recognized beyond the pale of the English Liturgy; and the followers of Luther, Calvin, Melancthon, Erasmus, and Knox, under the general denomination of Nonconformists, had afforded a livelihood in England to the informer and to the Ecclesiastical Court. In Ireland dissent rested on a more powerful basis. The connection of Ulster

[1] A Proposal humbly offered to the P——t for the more effectual preventing the further growth of popery, &c. Half a century later, Young, Tour in Ireland, vol. ii. part. ii. p. 81, says: "So burthensome is "this mode of payment (tithes) that where their (the clergy) residence "is followed by tithes being paid in kind, the clergyman, who ought to "be an object beloved and revered, lives really upon the ruin of all his "parishioners, so that instead of giving public money to bring him into "the parish, no application of those funds would be more beneficial in "such a case than to produce his absence."

with Scotland, the settlement of the Cromwellians, and the protection of such men as Lord Broghill and Sir Charles Coote, had obtained for it a recognized position in the country. Nevertheless, in the Act "for the prevention of the further growth of "popery," a clause was inserted containing the essence of the Test Act, and thus Presbyterians were prohibited from filling municipal offices, or taking any part in the government of the country.

The English Government, emboldened by the apathy with which these attacks on the conscientious scruples of seven-eighths of the population of Ireland had been borne, next demanded that they should give up their very means of existence. In 1690 the Commons of England had petitioned the king to put down the woollen trade of Ireland. As this branch of commerce was chiefly in the hands of the Roman Catholics of the west and south, the Commons of Ireland willingly placed four shillings additional duty on every twenty shillings of broadcloth exported out of Ireland, and two shillings on every twenty shillings value of serge, baize, kerseys, stuffs, or any sort of new drapery made of wool or mixed with wool.[1] But no sooner was the Irish

[1] Young's Tour in Ireland, vol. ii. part. ii. p. 148; Irish Statutes, 10 Will. III. c. v.

woollen trade well-nigh ruined, than checked, striped, printed, painted, stained, or dyed linen of Irish manufacture were prohibited being imported into England or its colonies;[1] and as this trade was chiefly carried on by the Presbyterians of Ulster, the Irish House of Commons made no remonstrance. Ireland, with its inhabitants thus deprived of the free exercise of their religion, and of the power to earn their livelihood, sank into a state of wretched misery, and became a blank in the political world. Its House of Commons, possessing little more than the power of a veto upon bills agreed upon between the Privy Council in Ireland and the Ministry in England, had at one time not even the energy to exert this. The members, chiefly Government nominees, or friends of English peers with Irish properties, were not only devoid of patriotism, but even of the commonest sense of duty to their constituents, whose interests they were ever ready to sacrifice for pensions or places. The House of Lords had sunk equally in public estimation. Almost all the representatives of the old families were outlaws, and the few peers who attended spent their time in drawing up resolutions vindicatory of their dignity, which

[1] Statutes, England, 3 and 4 Anne, c. viii.; under pretence of assisting the linen trade, it permitted the exportation of white and brown linen only.

the world would not recognize. "In 1703 they resolved that their determinations and judgments were final and conclusive; that they could not be reversed or set aside by any other court whatsoever; and any person resident in Ireland presuming to appeal to any other court should be deemed a betrayer of the royal prerogative, and of the privileges of that House.[1] In 1719 a Mr. Annesley, having been nonsuited by them respecting some land in Kildare, appealed to the English House of Peers. The latter ordered the Barons of the Exchequer in Ireland to cause Mr. Annesley to be forthwith put in possession of the lands in dispute. In pursuance of this order the Barons of the Exchequer issued an injunction to the Sheriff of Kildare, and fined him for refusing to put it into execution. The Irish House of Peers, in accordance with their resolution of 1703, voted that the Barons of the Exchequer had acted in manifest derogation of the king's prerogative, and of that of the Irish Parliament; ordered the Barons to be taken into the custody of the Black Rod, and sent a protest to the king. But the Lords of England resolved that the Barons of the Exchequer in Ireland had acted with courage and according to law; requested his Majesty to confer

[1] Lords' Journal, Ireland, 1703.

a mark of royal favour upon them; and passed an Act[1] for the better securing the dependency of the kingdom of Ireland upon the crown of Great Britain.

Lord Lieutenants naturally took no interest in such a Government, and preferred the dissipations of a London life to the petty wrangles of Dublin Castle. The principal Protestant gentry followed their example, and became absentees.[2] The smaller gentry, many of whom acted as agents to the large landed proprietors, were left alone to exercise a power over the peasantry which can scarcely be conceived at the present day. Mostly descendants of those who had fought in the late wars, their manners partook of the dissoluteness of the camp, and they could not be made to understand that they were in any way amenable to laws which they considered could only be intended for the conquered.

[1] Lords' Journal, Ireland, 1719; 6 Geo. I. c. 5, Statutes of the Realm.

[2] The possession of large Irish estates by non-residents has ever been a source of complaint in Ireland. By 3 Ric. II., they forfeited two-thirds to the king, and by 28 Hen. VIII. all lands belonging to absentees were reassumed. But in 1682, Richard Lawrence, in his "Interest of Ireland," calculates that nearly 800,000 acres belonged to non-residents. In 1779, Arthur Young calculates that about 732,000*l.* were remitted to English landlords besides the heavy pension list.—Tour in Ireland, Appendix. Newenham, in his Essay on Population, in 1805, p. 170, states the amount remitted to absentees was 3,000,000*l.* per annum, and in the publications of the Society for the Improvement of Ireland, in 1828, it is said to be upwards of 4,000,000*l.*

To drink bad claret, keep wretched packs of hounds, insult their best friends and then shoot them, was with them the ideal life of a gentleman. To maintain this dissolute style of living, the unfortunate tenants were ground down to the uttermost farthing, and the peasantry, between the tithe proctor and the middleman, had often not the skin of the potato left to subsist on.[1]

It was difficult to arouse a people so demoralized, and once only during the first half of the eighteenth century did they show any signs of vitality. In 1723 George II. granted a licence to one William Wood to coin copper money for the use of Ireland to the value of 90,000*l.* At this period Swift was Dean of St. Patrick's. In England he was known but as a wit much disliked by the Whigs. In Ireland he had rendered himself very popular by his zeal in the cause of Irish commerce. This patent of Wood's, for the issue of farthings and halfpence, attracted

[1] Life of Swift, by the Earl of Orrery, p. 61; Young's Tour in Ireland, vol. ii. part ii. p. 41; Hibernia Curiosa, being a Narrative of a Trip to Ireland, by J. Bush, 1769. There are few subjects more painful to the Irish historian than the state of society in Ireland in the eighteenth century. The curious on the subject will find a good-humoured view taken of it in a *little volume*, Ireland Sixty Years Ago, Dublin, 1847. Even Henry Grattan, in 1770, writes to his friend Day; "I am tired of "Dublin, with all its hospitality and all its claret. Upon our arrival "it seemed a town hung in mourning, swarming with poverty and "illeness."—Life, by his Son, vol. i. p. 151.

Swift's peculiar satirical genius, and a series of powerful pamphlets, written by him against it, appeared under the name of M. B. Drapier. Their effect on the people of Ireland was marvellous. Papists, Protestants, Tories, Whigs, all united together in favour of the Drapier against Wood. The Parliament, which was then sitting, appointed a Committee to inquire into the subject, witnesses were examined, and a resolution unanimously passed praying his Majesty to withdraw the patent. The king protested, and proved that he had done no more than his predecessors. But the patent had nevertheless to be withdrawn. Swift became identified in Ireland with liberty, as liberty was then understood; his name was toasted as frequently as that of King William; odes were written in his praise; effigies of him were to be seen in every street in Dublin; and for many years he may be said to have governed Ireland. But the Dean was finally attacked by a painful malady, became a helpless idiot, and Ireland once more sank into utter insignificance.[1]

The Roman Catholic gentry, completely broken down, took no part in the rebellion of 1745, and looked upon the fresh enactments made against them

[1] The Political State of Great Britain, A.D. 1723, vol. xxvi.; Journal of the House of Lords, Ireland, A.D. 1723; Life of Swift, by the Earl of Orrery; Swift's works, edit. 1824, vols. vi. vii.

in each new reign with perfect indifference. But a few years later the peasantry, unable to endure the misery of their condition, formed the celebrated association of White Boys. The English Government fancied these riots were Roman Catholic conspiracies, but sensible English gentlemen, who took the pains to cross the Channel, perceived at once the cause of these outrages. Arthur Young, the most unromantic of tourists, the man who travelled, not to see rugged mountain ranges and lovely lakes, but matter-of-fact ploughing and manuring, thus speaks of the Irish peasantry, after an inspection of Irish farming, which he found most indifferent:—

"Consequences have flowed from these oppressions
"which ought long ago to have put a stop to them.
"In England we have heard much of White Boys,
"Steel Boys, Oak Boys, Peep-of-Day Boys, &c. But
"these various insurgents are not to be confounded,
"for they are very different. The proper distinction
"in the discontents of the people is into Protestant
"and Catholic. All but the White Boys were
"among the manufacturing Protestants in the
"north. From the best intelligence I could gain,
"the riots of the manufacturers had no other
"foundation but such variations in the manufacture
"as all fabrics experience, and which they had

"themselves known and submitted to before. The "case, however, was different with the White Boys; "who, being labouring Catholics, met with all those "oppressions I have described, and would probably "have continued in full submission had not very "severe treatment in respect of this, united with a "great speculative rise of rents about the same "time, blown up the flame of resistance. The atro- "cious acts they were guilty of made them the "object of general indignation; Acts were passed "for their punishment, which seemed calculated for "the meridian of Barbary: this arose to such a height "that by one they were to be hanged, under certain "circumstances, without the common formalities of "a trial, which, though repealed the following "session, marks the spirit of punishment, while "others remain yet the law of the land, that would, "if executed, tend more to raise than quell an in- "surrection. From all which it is manifest that "the gentlemen of Ireland never thought of a "radical cure from overlooking the real cause of the "disease, which lay in themselves, and not in the "wretches they doomed to the gallows."[1]

Misrule will, however, invariably bear its fruits.

[1] Young's Tour in Ireland, vol. ii., part ii., p. 41. Also vol. i., pp. 103—217.

The heavy duties on the exportation of Irish goods to England and its colonies forced the Irish merchant to direct his trade to foreign countries, and especially to France,[1] producing a feeling of amity towards that country, even in the minds of the Presbyterians of the north, at a time when its policy was directly opposed to that of England. The hardships which the peasantry had to endure caused considerable emigration to North America, and a sympathy with the colonists was thus created. These causes became at last a source of real and of serious trouble to England, and finally enabled Ireland to assume its proper position under the crown of that empire.

[1] An *Humble* Proposal to the People of England for the *Increase* of their Trade, &c. De Foe. London: 1729. Complaining of the large quantity of wool which went to France from Ireland, he says: "That "the Irish are prohibited exporting their wool is true; but it seems a "little severe to prohibit them exporting their wool and their manu-"factures too, and then not to buy the *wool of* them neither." Irish wool going to France assisted the French in competing with England. To stop this, he advises buying the wool.

## CHAPTER VII.

### CATHOLIC EMANCIPATION.

We have witnessed the desperate defence which the Roman Catholics of Ireland maintained for so long a period against the armed proselytism of England, their utter defeat, and their subjection. We are now about to see that freedom of conscience and political emancipation for which they had so vainly contended, obtained for them, not by force of arms, not by alliance with foreign nations, not by a sense of justice in their legislature, but by the overwhelming power of public opinion.

On the breaking out of the American war, the Government was forced to withdraw a large portion of the standing army in Ireland, and it became a question as to how its place should be filled. The principal use of troops in that country was to enforce the payment of rents, tithes, and assessments.

A militia could not, therefore, be organized, because in the south it would have been necessary to arm the Roman Catholics, and in the north it would have been composed of the very men concerned in breaking the law. Lord Buckinghamshire, then Lord Lieutenant, with a view of solving the difficulty, proposed that gentlemen of known loyalty should be allowed to raise volunteer corps.[1] Whilst the English cabinet was debating the propriety of this measure, it was rumoured that the French meditated an attack on the northern parts of Ireland; and the inhabitants of Belfast petitioned, in consequence, for a body of troops to be sent for their protection. This alarm on the part of the citizens of Belfast was not unnatural. In 1759 the French had only been prevented landing in Ireland in force by the victory of Sir Edward Hawke at Belleisle; and even then a squadron under Thurot, a noted privateer of the time, took Carrickfergus and held it some time. The Government, however, was unable to afford the assistance required, and the Belfast people formed from amongst themselves three volunteer companies. Humble as this independent movement was, it roused the Irish people

[1] Life of Rt. Hon. Henry Grattan, London, 1839, vol. i. p. 300; Lord Buckinghamshire to Lord Weymouth.

from the lethargy into which they had sunk for more than half a century. All Ireland imitated the example of Belfast and volunteer companies were organized in every direction. It was to all intents and purposes a revolution under the plea of self-preservation. The English Government saw the danger, and called on the Lord Lieutenant to put down these armed assemblies, but he was powerless. By law Irish Protestants might carry arms for their own defence,[1] and Lord Buckinghamshire was obliged to reply that—"The seizing their arms would, there-"fore, be a violent expedient; and the preventing "them from assembling, without a military force, "impracticable; for when the civil magistrate will "rarely attempt to seize an offender suspected of "the most enormous crimes, and when convicted, "convey him to the place of execution without "soldiers,—nay, when, in many instances, persons "cannot be put into possession of their property, "nor, being possessed, maintain it without such "assistance,—there is little presumption in assert-"ing that unless bodies of troops be universally "dispersed, nothing can be done to effect."[2]

[1] Irish Stat. 7 William and Mary, c. v.

[2] Life of Grattan, vol. i. p. 347; the Lord Lieutenant to Lord Weymouth, May 24, 1779.

It was, however, impossible for so large a body of men to be in arms without learning to feel their strength. They heard from time to time of the success of the American volunteers against the disciplined troops of England and of the concessions obtained in consequence by the colonists, and they pondered over the means by which they also could obtain the same.[1] The interference of England with Irish trade was becoming insupportable. By an Order in Council, in 1776, no provisions could be exported except in British shipping, and then only to Great Britain or under convoy to a British island. By another, in 1778, the exportation to Great Britain was entirely forbidden.[2] Such prohibitions, affecting, as they did, the whole provision trade of Ireland, would have been dangerous at any time, but, as it was, they created the most thorough hatred of England in the minds of men of all parties and of all creeds. Yet during the previous thirty years Irish society had undergone a most beneficial change. Wealth and comfort had become more diffused, and the population was rapidly increasing. The great

[1] Life of Grattan, vol. i. p. 347; the Lord Lieutenant to Lord North, March 20, 1778, vol. i. p. 298.

[2] Life of Grattan, vol i. p. 335; Letter of Pery, the Speaker, to Sir Richard Heron, Secretary for Ireland, Sept. 2, 1778; ibid., p. 391; Lord Lieutenant to Lord Weymouth, Oct. 13, 1779.

blanks between the lord, the middleman, and the cottar were being filled up. The sons of nobodies were rising into pre-eminence, and younger sons of somebodies were glad to get a living by exercising their talents; whilst, though claret, and duels, were still much in vogue, the "buck" was disappearing, and the educated gentleman was reassuming his position. The bitterness of feeling also which had so long existed between Protestant and Roman Catholic was decreasing; and men of all sects and stations, imbued with the patriotic political theories of Swift, could no longer endure the penal laws to which they were subject. Debased as the Irish House of Commons was, it could not but be influenced by this healthy reaction. Pery and Flood introduced a more independent tone in their debates; and, in 1761, Charles Lucas, a physician of Dublin, who had been returned member for that city after a banishment of twelve years for political writings, pointed out to his countrymen their inability to control a Parliament which could only be dissolved at the king's pleasure. Lucas, four times unsuccessful in his endeavour to obtain a septennial Parliament, at length succeeded, in 1768, in getting the royal assent to its being octennial. The first House of Commons summoned under this new condition,

in 1769, made a bold attempt to assert its right to originate money bills. The Lord Lieutenant, Lord Townshend, entered his formal protest against such an innovation in the journals of the House of Lords in order "that it might remain there for future "ages as a vindication of the undoubted right and "authority of his Majesty, and of the right of the "crown of Great Britain in this particular,"[1] and prorogued Parliament till March, 1771. During this interval every effort was made to corrupt members; and this plan was so far successful, that when Parliament met a vote of confidence in Lord Townshend was passed by a small majority. But one hundred and seven members voted against the address, and the Speaker, Mr. John Ponsonby, sooner than be the instrument of forwarding it, resigned the chair. The American Revolution at first made some of the independent members cautious of coming to a collision with the Government. Pery accepted the Speakership and afterwards a peerage, and Flood, who, under Lord Townshend's administration, forcibly attacked the system of Government bribery and jobbing, accepted under that of Lord Harcourt a vice-treasurership of 3,500*l.* a year. But when the defence of the colonists was taken up in the

[1] Lords' Journal, Ireland, A.D. 1769.

English Legislature by such men as the Earl of Chatham, and the liberal ideas which that revolution was so widely diffusing began to pervade every rank of society throughout Europe, the people of Ireland could no longer be induced to brook their penal laws. The Government, in hopes of conciliating the Roman Catholics, passed an Act in 1778 to enable them to hold land,[1] but declined diminishing the restrictions imposed on trade. Yet the volunteer corps, the principal corporations, even the loyal city of Dublin, were passing resolutions and forming associations to exclude English goods, and only use their native manufactures. The Lord Lieutenant, the Marquis of Buckingham, then Earl Temple, to delay this storm, proposed, in 1779, that the mover of the address to the speech from the throne should state his intention of moving for a Committee to inquire into the distressed and impoverished state of the nation. But this was no satisfaction to the mercantile class, and Henry Grattan, who had succeeded to the seat of patriot vacated by Flood, proposed and carried an amendment praying for free trade. The whole body of members proceeded to the castle with the address; the streets were lined by the volunteer corps united

[1] 17 & 18 Geo. III. c. 49, Irish Statutes.

under the command of the Duke of Leinster, and next day a similar address was voted by the Lords.[1] The Marquis of Buckingham could not but acknowledge the necessity for an immediate repeal of the obnoxious enactments, and laid the matter clearly before the English cabinet; but, in reply, he merely received an unmeaning royal message. The men, however, who were interested in a more gracious answer, were the volunteers, and they then numbered some forty thousand men. The address had been voted on the 12th of October, 1778. On the 4th of November, the volunteers of Dublin and the adjacent districts paraded, accompanied by two field-pieces inscribed, "Free trade, or this," and at night the city was illuminated. There could be no mistake as to the feeling of the nation, and its leaders prepared for fresh efforts. It had become usual for the supplies to be voted for two years, and the Ministry was then anxious to meet an expected deficiency in the revenue by additional taxation. But, on the 24th of November, 1779, Grattan moved, in the House of Commons, that it was then inexpedient to grant new taxes. The motion was carried by one hundred and seventy to

[1] Life of Grattan, vol. i. p. 383; the Lord Lieutenant, Marquis of Buckingham, to Lord Weymouth, Oct. 13, 1779; ibid., p. 391.

forty-seven. On the day following, the Opposition resolved by a majority of one hundred and thirty-eight to one hundred that the appropriated duties should be for six months only; and, during the debate, when Burgh, the prime serjeant, in the midst of a brilliant speech, exclaimed, "Talk not to "me of peace. Ireland is not in a state of peace, it "is smothered war," the house rose in a mass to cheer him.[1] Yet Grattan, Burgh, and their supporters, were Church of England men; most of them obtained their seats owing to the influence of peers, and many even held Government appointments. The Ministry was forced to yield to a certain extent, and on the 24th of February, 1780, an Act allowing free trade between Ireland and the British colonies, received the royal assent. There was yet, however, more to be obtained, and the Irish Opposition at this period was particularly powerful and brilliant. Conspicuous in its ranks was Henry Grattan. Brought up in Dublin, of which his father had been Recorder and member for many years, he had been initiated at an early age into the mysteries of Irish politics. Much of his time also had been spent at Marley Abbey, the residence of

[1] Life of Grattan, vol. i. ch. xvii.; Memoirs of Court of George III., Duke of Buckingham, vol. i.

his uncle, better known to fame as the abode of Vanessa, where he learnt to revere the memory of "the Dean," and imbibed from his works a conscientious abhorrence of English misrule. *Mixing* amongst the leading politicians of the day, Grattan attracted the notice of Lord Charlemont, a nobleman much esteemed for his uprightness and patriotic spirit, and in 1775 was returned for the borough of Charlemont. He at once shone forth as a brilliant orator and skilful debater. No one surpassed him for eloquent invective, and his courage being equal to his eloquence, he became a dangerous opponent. Incorruptible at a time when most men were corrupt, he found himself before long the chosen champion of the people, and throughout a long and arduous career ever justified the confidence they had reposed in him.

Free trade having been granted to a certain extent, Grattan determined to extend it and maintain it for the future by obtaining for Ireland an independent legislature. We have seen that, from the earliest period of the English dominion in Ireland, the statutes of England were binding on that country, and that the proceedings of Irish Parliaments were restricted to granting subsidies, hearing the last English enactments read over, and passing

local measures. We have seen, also, that during the unsettled times of the York and Lancastrian factions, the Lords Deputies called Parliaments on their own accounts, and passed enactments which frequently bore heavily on the community at large, an evil which Henry VII. remedied by means of Poyning's Act. But, in after years, the Parliament of England, when legislating for the dependencies of the crown, lost sight of the broad principle that if English colonists were subject to the laws of England it was because they participated in the benefits which these afforded. This omission caused lawyers for a long time to doubt whether English Acts were binding in Ireland; for if Irishmen could not be taxed except with their own consent, it became a question as to whether they should be bound by laws which they would not have sanctioned had they had a voice in the matter.[1] To put an end to this doubt the English Parliament passed the 6th Geo. I. c. 5,

[1] As early as James I. Sir Edward Coke remarked that "it is now "questioned and doubted whether the law of recusants and reconciled "persons do hold for Ireland also and the parts beyond the seas; that "is, whether such as were there reconciled be within the compass of the "statute or not."—Howell, St. Tr. vol. ii. p. 179. See also Sir Richard Bolton's declaration: "How and by what means the Laws and Statutes "of England came to be of force in Ireland;" with Serjeant Mayart's answer, in Harris's Hibernica; Davies, Hist. Tracts on Ireland; W. Molyneux, Case of Ireland being bound by Acts of Parliament in England. London, 1698.

clearly pointing out the dependence of Ireland on England. The question, therefore, no longer admitted of legal arguments; but the American colonists had shown how such a question could be decided, and the Irish people were ready to imitate their example. Grattan, taking advantage of this feeling, proposed, on the 19th of April, 1780—"That his most excellent Majesty by and with the "consent of the Lords and Commons of Ireland, "are the only power competent to enact laws to "bind Ireland." The motion was seconded by Robert Stewart, father of the first Lord Castlereagh. The Government exerted every effort to have it negatived, but they could only succeed in getting the question adjourned until the next session. This was tantamount to a defeat, and the Lord Lieutenant was obliged to report to the Cabinet that, "It is "with utmost concern I must acquaint your Lord-"ship that, although so many gentlemen expressed "their concern that the subject had been introduced, "the sense of the House against the obligation of "any statutes of the Parliament of Great Britain "within this kingdom is represented to me to have "been almost unanimous."[1]

[1] Life of Grattan, vol. ii. p. 55; the Lord Lieutenant to Lord Hillsborough.

Meanwhile the volunteers were rapidly increasing in numbers; electing generals, purchasing cannon and camp equipage, and voting addresses to Grattan. Lords Charlemont and Erne were reviewing them in the north; the Earl of Belvidere in West Meath; Lord Shannon in the south; Lord Kingsborough in Limerick; Lord Powerscourt in Wicklow and Dublin—all Protestant peers, and most of them representatives of houses created since the accession of the House of Hanover. The Government could only maintain a majority in Parliament by bribery on the most extensive scale. Peerages, places, and pensions were distributed wholesale, and often after a clear explicit bargain,[1] but it was impossible to bribe everybody. On the 15th February, 1782, two hundred and forty-two delegates from one hundred and forty-three volunteer corps met at Dungannon, where they passed resolutions in support of Grattan's motion, and held out the hand of amity to the Roman Catholics. The people were determined to have their rights, by peaceable means if possible, if not, then by force.[2] Lord North, then Prime Minister, has been much blamed for his per-

[1] See some remarkable letters from the Lord Lieutenant (Buckingham) to Lord North in Life of Grattan, vol. ii. ch. viii.

[2] Hardy's Life of Lord Charlemont, vol. ii. p. 132.

verseness at this period. But allowing that he and his royal master were as obstinate and as short-sighted as any two men of the day, it is to be doubted whether Fox himself could have succeeded in getting the Parliament of England to sanction the repeal of the 6th Geo. I. without an extreme pressure from without. The English House of Commons was as venal as the one that sat in Dublin; and there was a commercial pressure[1] placed on Ministers in England which utterly annihilated any attempts at a liberal system of government. Besides, Poyning's law, and the consequent dependence of Ireland on England, was part of the groundwork of the British constitution. The first article of impeachment against Strafford was his having forgotten that English laws were binding in Ireland. Charles I., in his utmost need, would not grant the repeal of Poyning's Act to the confederates in arms. James II. was requested to do so by his Catholic Parliament of 1689, and eluded a negative by stating that the proposition must first be taken into consideration by himself, his heir, and his Council, which it never was. The 6th Geo. I. had been passed because the Lords of Ireland had denied a higher jurisdiction in Irish matters to the

[1] See Young's Tour in Ireland, vol. ii. part ii., ch. on commerce.

Lords of England. Lord North was therefore bound as an English minister to maintain these two points inviolate, and he would perhaps never have been called upon to consider the question had it not been for the monopolizing spirit of commerce in the English people, which even the genius of Burke, or the common sense of Defoe, could not convince. On the contrary, as it was the Irish were once more being driven into rebellion. "My dear Dick," wrote Charles Sheridan to his brother Richard,[1] March 27th, 1782, "as to our politics here, I send "you a newspaper; read the resolutions of the "volunteers, and you will be enabled to form some "idea of the spirit which pervades the country. A "declaration of the dependency of our Parliament "upon yours will certainly pass our House of Com- "mons immediately after the recess. Government "here dare not, cannot oppose it: you will see the "volunteers have pledged their lives and fortunes "in support of the measure, the grand juries of "every county have followed their example, and "some of the staunchest friends of Government have "been, much against their inclination, compelled to "sign the most spirited resolutions." At this critical moment Lord North had to resign office on

[1] Life of Grattan, vol. ii. p. 214.

account of the American disasters, and was succeeded by the Marquis of Rockingham, who advocated conciliatory measures. In consequence of this change, Grattan, with the sanction of the Duke of Portland, then viceroy, proposed on the 16th April, 1782, an address to his Majesty representing "that "the kingdom of Ireland was a distinct kingdom, "with a Parliament of her own the sole legislature "thereof," which received the unanimous assent of that House, and of the Lords. On the 17th May the English House of Commons resolved itself into a Committee to take this address into consideration, and on the motion of Fox the 6th Geo. I. was repealed, an act which received the royal assent on the 21st June.

At the present day the whole of these transactions seem almost incomprehensible. Ireland, from its geographical position with respect to England, and from the multitude of mutual interests which it had with that country, could not possibly have been separated from it without inflicting a vital blow on both. Yet the narrowmindedness of the English shipowner and manufacturer[1] had forced

[1] See especially the evidence taken before a committee of the British House of Commons in 1785 on the commercial intercourse between Great Britain and Ireland.

the inhabitants of Ireland to seek that fatal step in self-preservation, and the English Government had found itself obliged to yield, in order to avoid a civil war. Yet no sooner was the boon granted, and those who had so longed for it celebrated their victory, than it became apparent to all that the freedom of the Irish Parliament was but the beginning of fresh struggles between the two countries. On the one hand, the Irish were aware that a Parliament of placemen and Government nominees would never pass those measures which had been the cause of their yearning for an independent legislature. On the other hand, the Government felt that were they to lose this hold over the proceedings of the Irish Parliament, it was tantamount to a complete separation with that country, and a Reform Bill became the next point at issue.

Parliamentary reform was at this time occupying much public attention. In France it had resulted in a National Assembly. In England it was advocated by the younger William Pitt, and Reform Associations had been organized in most of the influential towns of that country which had opened a communication with the Irish volunteers. The volunteers, proud of having been the means by which their Parliament had been rendered free,

fancied that they could regulate it; and so strong did this feeling become, that the leading men of the country were obliged to put themselves at their head in order to control them.[1] A convention of delegates from the volunteer corps assembled at Dublin in December 1783. Amongst them were the Earl of Charlemont, Lord Farnham, Sir Capel Molyneux, Right Honourable W. Brownlow, Right Honourable Robert Stewart, Sir A. Brooke, Bart., Sir H. L. Blosse, Bart., Earl of Aldborough, Sir Vesey Colclough, Bart., Lord Valencia, Mr. Flood, &c. They all advocated a reform of the rotten borough system, together with the exclusion of placemen and pensioners; and many of them urged that the Roman Catholics should be admitted to the franchise. The English cabinet became alarmed. Charles Fox, then Secretary of State for Foreign Affairs, wrote to the Lord Lieutenant, Lord Northington, that, unless this convention could be dissolved at once, "Government, and even the name "of it, must be at an end."[2] He strongly advised him to act firmly, and to get himself seconded by the aristocracy and Parliament. This Lord Northington was enabled to do. Indeed, many members

[1] Life of Lord Charlemont, by Hardy, vol. ii.
[2] Life of Grattan, vol. iii. p. 106.

who habitually voted against Government considered that they were bound to support it at a time when it was assailed in so unconstitutional a manner.[1] A Reform Bill, dictated by the Convention, and brought in by Mr. Flood, was thrown out by a large majority. Shortly afterwards the Convention was induced to separate without having effected its purpose. Divided in their councils, the reform party for the next few years unsuccessfully continued their efforts; but in 1790 we find three distinct bodies emanating from it, each advocating a decided policy, and all equally inimical to the English interest.

The Duke of Leinster, Lord Charlemont, the Archbishop of Tuam, the Earl of Shannon, and the more aristocratic politicians founded, in 1789, a Whig Club, the basis of which was the maintenance of the independence of Ireland under the House of Brunswick as kings of Ireland, and not in their character as kings of Great Britain. The middle classes of Ulster, Presbyterians by religion, and deeply imbued with republican doctrines, looked forward to a complete separation from England, and aware that in order to carry out such a purpose the unity of the great mass of the people was necessary,

[1] Hardy's Life of Lord Charlemont, vol. ii. p. 135.

formed, in 1791, a society under the name of United Irishmen, which was to include all creeds.[1] The Roman Catholic gentry, emboldened by the aspect of affairs, likewise formed a society, in 1790, called the Catholic Association, having for its object the furtherance of their political emancipation. The disaffection of the upper classes extended throughout the lower, unaccompanied by the same regard for the law. The condition of the peasantry at this period was particularly wretched. In 1787 Fitzgibbon, then Attorney-General, and subsequently Earl of Clare, whilst advocating severe measures against the peasantry of the south, who had broken out again against tithes and high rents, and been guilty of great enormities, admitted that it was impossible for human misery to exceed theirs. In the north, in addition to these outbreaks against property, the working class were carrying on a barbarous religious

[1] "In this society and its affiliated societies, the Catholic and the "Presbyterian are at this instant holding out their hands and opening "their hearts to each other; agreeing in principles, concurring in prac-"tice. We unite for immediate, ample, and substantial justice to the "Catholics, and when that is attained, a combined exertion for a reform "in Parliament is the condition of our compact, and the seal of our "communion."—Address from the Society of the United Irishmen in Dublin to the Delegates for Promoting a Reform in Scotland, Appendix I.; Report of the Committee of Secrecy appointed to inquire into the papers presented (sealed up) to the House of Commons by Mr. Secretary Dundas, May 12, 1794.

feud under the name of "Peep-of-Day Boys" and "Defenders." The former were Protestants, the latter Roman Catholics.

The Government, to stem the tide of disaffection, allowed two Acts to be passed in 1792,[1] 1793,[2] for the relief of the Roman Catholics. By the first, Papists might practise at the bar, though they were not entitled to be made King's Counsel; Protestant barristers might have Papist wives, and solicitors were no longer required to educate their children as Protestants. By the second, Roman Catholics might hold property, vote at elections, hold minor civil and military offices, and were no longer bound to attend the parish church under a penalty. Ten years before, these steps might have had a beneficial effect; as it was, they only made the people feel their power; and the United Irishmen ably combining in their appeals to the Roman Catholics the dogmas of political liberty and equality with that of religious freedom, found but too willing listeners in the Defenders.

Such was the state of affairs in Ireland when the Portland Ministry was formed in 1794. The war which England was then waging on the Continent rendered it absolutely necessary that these Irish dis-

[1] Irish Statutes, 32 Geo. III. c. 21. [2] Ibid., 33 Geo. III. c. 21.

sensions should, if possible, be terminated, and with this view the Cabinet determined to grant entire emancipation to the Roman Catholics if needful.[1] For this purpose Lord Fitzwilliam, then Lord President of the Council, was nominated Lord Lieutenant. He was known as a liberal Irish landlord, and by marriage was connected with the Ponsonbys, firm political supporters of Grattan. He at once opened a correspondence with Grattan, and begged him to support a policy calculated to do so much good to his country. Grattan, hitherto a stranger to the councils of Lord Lieutenants, entered warmly into the matter, and Lord Fitzwilliam landed in Ireland amidst the rejoicings of the whole nation. Such supplies of men and money as he asked for were freely voted, and on the 12th of February, Grattan obtained leave to bring in a bill for the relief of the Roman Catholics. Unfortunately there was a secret influence in England counteracting this prudent measure, and on the 24th of March Earl Fitzwilliam was recalled. Pitt was accused of treachery and deceit, and the friends of Earl Fitzwilliam in England demanded explanations from the Ministry in the House of Commons

[1] Protest of Lord Fitzwilliam in the House of Lords.—Parl. Hist. 1795.

as well as in the Lords; but the Ministry would give none. The Irish, unable to account for this change, laid the original blame to the intrigues of the Right Hon. John Beresford,[1] member for Waterford. This gentleman was brother to the Marquis of Waterford and to the Archbishop of Tuam. He had for many years been First Commissioner of the Revenue. Being reputed a strong supporter of doctrines of a Protestant ascendancy, Earl Fitzwilliam had removed him from the office of Secretary to make room for a Ponsonby, and Mr. Beresford certainly did interfere to obtain the Earl's removal and his own reinstatement. But the Roman Catholics of Ireland had a far more powerful opponent than Mr. Beresford in the person of George Grenville, Marquis of Buckingham. That nobleman had been twice Lord Lieutenant of Ireland. During his first administration in 1782, although he had done all in his power to reform the corruption which existed in every public department, he had incurred considerable odium by allowing appeals to be made to the English House of Lords, after the independence of the Irish Legislature had been acknowledged. During the second, which lasted from 1787 to 1790, he had given

[1] Life of Grattan, by his Son, vol. iv. p. 195.

serious offence to the popular party. George III. having been declared incapable of carrying on public affairs, the English Cabinet was desirous of appointing the Prince of Wales Regent, but with considerable restrictions. The Prince, influenced by Fox, Burke, Sheridan, and others, objected to any restriction. In Ireland a bill was brought in by the Government with the object of having such a Regent recognized as should be approved by the English Parliament, together with such limitation as it pleased to lay down. This was considered an affront to the liberties of an independent legislature; and the Marquis of Buckingham was most bitterly attacked by Grattan and his friends, who induced the House to vote, without a division, an address to the Prince of Wales, asking him to take on himself the government of Ireland without any restriction beyond those imposed by the laws and constitution of that kingdom. The Lords passed a similar resolution. Lord Buckingham declined to forward either. Upon this, delegates were appointed by both Houses to present the addresses to the Prince, and a severe censure was passed by them on the Lord Lieutenant. The whole matter was brought to an abrupt termination by the recovery of the king; but the ill-will which these

debates had caused between the Opposition and Lord Buckingham was never forgotten by the latter. When, therefore, Earl Fitzwilliam made overtures to Grattan, Lord Buckingham considered them as reflecting personally on himself, and used all his influence to counteract such a coalition. His brother, Lord Grenville, then Minister for the Colonies—one of the most able men of his day, and who, from having been Irish Secretary in 1782, was well acquainted with political parties in Ireland—pointed *out* the danger that would arise from such an opposition. On the very day that Lord Fitzwilliam landed in Ireland he thus wrote to Lord Buckingham: "The detail of all that passed "respecting Lord Fitzwilliam's appointment would "be too long to go into now; and I have reason to "believe that you are not unacquainted with many "of the circumstances, which would prove how very "little idea there was of concealment or mystery on "my part respecting the subject. From the first "moment you stated to me that you considered the "idea of giving to the Ponsonbys a share of office "in Ireland as a measure injurious to you, I ex-"plained to you my reasons for viewing it in a "different light. But I anxiously reconsidered "the subject in my own mind, and I then acted, as

"I was bound to do, on my deliberate and fixed "opinion respecting a point which, in either view "of it, was of much too great public importance to "make it possible for me to decide it merely on the "desire I must ever feel to consult your wishes in "preference to my own. Which of us is right in "our view of this question it is not for me to say. "The *motives* and grounds of my opinion remain "the same, and I see with regret that they do not "make on your mind the same impression they "have made on mine."[1] But the influence of the Marquis of Buckingham was very great. He entered into correspondence with Mr. Beresford and other Irish officials who were displaced by Lord Fitzwilliam. Freedom to the Roman Catholics was considered by many well-meaning men of the day as synonymous with the downfall of the House of Hanover. The king was easily alarmed on that point, and Lord Fitzwilliam was recalled.

Lord Camden, who succeeded him, endeavoured to pacify the Roman Catholics by establishing the college of Maynooth. This measure had its origin in a desire on the part of the English Government to conciliate the papacy, in order to maintain its in-

[1] Court and Cabinets of George III, by the Duke of Buckingham, vol. ii. p. 327.

fluence with the powers in the south of Europe. It was based on the plea that the republican armies of France had destroyed the seats of learning hitherto resorted to by the Irish priesthood.[1] But the peasantry did not care to inquire where or how their priests were educated. The price for labour was at a minimum, and that of food at a maximum.[2] The "Defenders" spread southwards, and in all directions private dwellings were attacked by night, arms were plundered, unpopular magistrates waylaid, and suspected informers murdered. The United Irishmen, encouraged by the numerous secret political societies in England and Scotland, which Paine's "Rights of Man" had called into existence, and by emissaries of the French Government, which was anxious to divert the attention of England from the continental struggle, took advantage of this state of anarchy, advocated a republic as the cure for all political evils, and preached rebellion as the duty of an oppressed people.[3] The Government, surrounded by enemies on all sides, and unable to distinguish between these doctrines

[1] Memoirs of Lord Castlereagh, vol. iii.

[2] Life of Grattan, vol. iv.

[3] Report from the Committee of Secrecy of House of Commons appointed to inquire into the papers presented by Mr. Secretary Dundas (sealed up), Jan. 23, 1799.

of the United Irishmen and the old traditions of the French invasion in support of Roman Catholic claims, thought, at least, to retain the Church of England faction by uniting the interest of the "Peep-of-Day Boys" with that of the Church of England gentry, from which curious union sprung, in 1796, the Orange Society, sworn to maintain the Protestant ascendancy of 1688. But the Orangemen were as lawless as the Defenders. Lord Gosford, who had been appointed joint Lord Lieutenant of the county of Armagh with the Earl of Charlemont, in 1791, to counterpoise the Whiggism of the latter,[1] found it necessary, in December, 1795, to convene a meeting of the magistrates of that county, and call on them to put a stop to the barbarous practices of the Orange Society. It sufficed for a man to profess the Roman Catholic religion to have his dwelling burnt over his head, and himself, with his family, banished out of the county. Nearly half the inhabitants of the county of Armagh had been thus expatriated.[2] To check these outbreaks of Defenders and Orangemen, Parliament, early in 1796, passed an Insurrection Act. Persons administering unlawful oaths were to suffer

[1] Life of Lord Charlemont, vol. ii.

[2] Life of Grattan, vol. iv. p. 223.

death, and those who took them transportation. No one was to possess firearms without a licence, under a fine of 10*l.*, or imprisonment for two months. Strangers were to be arrested and examined on oath. Any two justices might cause the clerk of the peace to summon a special sessions, and the justices so assembled might signify to the Lord Lieutenant that the county was disturbed. In such a case the inhabitants were to keep within their dwellings between sunset and sunrise; and houses of which the owners were suspected of being absent, or possessing arms without a licence, could be searched at any time.[1] Coercive enactments were not, however, the remedy required. The angry feeling aroused amongst the peasantry by the severity with which the Insurrection Act was put in force in many parts of the county added daily to the number of the United Irishmen. In 1796 the leaders of this body, considering their plans sufficiently matured, deputed three of their number, Lord Edward Fitzgerald, Arthur O'Connor, a gentleman of fortune in the county of Cork, and Theobald Wolf Tone, a barrister, to negotiate with the French Government for assistance. Towards the end of the same year a powerful French fleet,

[1] Irish Statutes, 36 Geo. III. c. 20.

consisting of seventeen sail of the line and ten frigates, with fifteen thousand troops commanded by Hoche, set sail from Brest; but fortunately it was driven back by tempestuous weather after making the south-west coast of Ireland. This French expedition only ruined the cause which the United Irishmen had at heart. With the exception of a few ardent reformers, the upper classes in Ireland, as throughout the rest of Europe, had had their liberal tendencies greatly checked by the horrors committed in the name of liberty by the French; and this French alliance caused a strong reaction in favour of England. The Orange Society rapidly increased, and even the Roman Catholic clergy, well aware that in France the priest was ostracized as well as the royalist, grew more loyal.[1] In no man was this anti-Gallican feeling stronger than in Grattan. When the Insurrection Bill was introduced he had spoken bitterly against the policy of the Government. In October, 1796, when Hoche's expedition greatly alarmed the more orderly portion of the community, he had pointed out, in the most forcible language, that the only way in which tranquillity could be restored was by extending the

[1] Memoirs of Viscount Castlereagh, vol. i. pp. 160, 172, 209; Life of Lord Charlemont, by Hardy, vol. ii. p. 379.

blessings of the Constitution without any distinction of religion. On every opportunity he advocated the broadest principles of civil and religious liberty; but to liberty as understood by the French Republic he would have nought to say. "Touch not "this plant of Gallic growth," exclaimed he on one occasion, "its taste is death, though it is not the tree "of knowledge;" and finding that his endeavours to induce the Government to adopt a more prudent course only incited the people to seek that alliance he so much abhorred, he withdrew altogether from the political arena. In fact, the United Irishmen never numbered more than two men of the upper classes in their ranks. The one was Lord Edward Fitzgerald; the other, Arthur O'Connor. Lord Edward was brother to the Duke of Leinster. He had become imbued with strong liberal notions in America, where he had served under Lord Cornwallis. Being at Paris at the breaking out of the Revolution, he had attended a political dinner, under the name of Citizen Fitzgerald, and had, in consequence, been deprived of his commission. In 1792 he married Pamela, supposed daughter of Philippe Egalité, Duke of Orleans, and Madame de Genlis. He was of an excitable nature, bold and fearless, but vain and imprudent. O'Connor was

nephew and heir to Lord Longueville, by whom he was brought into Parliament in 1790; but having voted against the wishes of his patron, he resigned his seat, and shortly after became an ardent advocate for French fraternity, and did much harm by his talent and eloquence. Had the Government, however, even at this late period, adopted a conciliatory as well as a firm policy, it might have averted much evil; but unaware of the vast ramifications of the United Irish Society, it remained satisfied with the suspension of the Habeas Corpus Act, and with calling out a militia only capable of still further exciting the heartburning of the people.[1] On the 14th of April, 1797, however, fifteen leaders of the United Irishmen were seized at Belfast. There was not a single Roman Catholic amongst them; but there were seven Presbyterians and three Covenant ministers. Their papers were submitted to Committees of the Houses of Commons and Lords in England, and the real purport of the society fully disclosed. In consequence of this discovery Ireland was inundated with troops; but, noways discouraged, the United Irishmen renewed their negotiations with France, and Lord Duncan's victory at Camperdown alone

[1] General Orders of Sir Ralph Abercromby, Dublin, Feb. 26, 1798; Correspondence, Lord Cornwallis, vol. ii. p. 413.

saved Ireland a second time from a French invasion. Indeed, the coercive policy of the Government was only adding to the importance of its enemies. Protestant Ulster had to be placed under martial law. Public meetings were prohibited, in consequence of the city of Dublin, the Bar, the Whig Club, and the University, having forwarded addresses praying that conciliation might take the place of coercion. Lord Bellamont resigned the command of the Cavan militia; the Duke of Leinster that of Kildare; Sir Laurence Parsons that of the King's County; Grattan his corps of yeomanry. Country gentlemen were leaving their properties, and taking shelter in the great towns. The Queen's County and Tipperary, especially, were almost deserted. In fact, the final contest between the United Irishmen and the Government was becoming merely a question of time. Throughout England societies of "United Englishmen" were being rapidly organized to act in concert; and the mutiny at the Nore had been distinctly traced to them.[1] The possession of a pikehead rendered the owner liable to seven years' transportation, and no blacksmith was to exercise his trade without a licence; yet unlicensed smitheries abounded over

[1] Report of Secret Committee of the House of Commons, 1798.

the country, pikeheads were being manufactured by thousands, and sanguinary affrays between the peasantry and the soldiery were of constant occurrence.

On the 12th of March, 1798, the Provincial Committee of the United Irishmen of Leinster were arrested in Dublin, and their papers disclosed the fact that the rebellion, assisted by France, was imminent. On the 30th of March, Ireland was placed under martial law, and troops were sent into every county to search for arms. The soldiery have been accused of much ruthlessness on this occasion, and it has been stated that Pitt's Government incited instead of checking a rebellion. But martial law is ever ruthless, and the Government, if it considered that a rebellion was inevitable, was wise in endeavouring to cause it to break out previous to its instigators being reinforced by France. The people were fully aware that the Government were on their guard. The arrest of the Provincial Committee of Leinster had been followed by that of the more prominent of the leaders of the United Irishmen. These were Oliver Bond, a merchant; Thomas Addis Emmett, a barrister; Sweetman, a brewer; MacNevin, a physician; two Jacksons, ironmongers; and MacCormick, a tradesman. On the 19th of May, Lord Edward Fitzgerald was betrayed, and

having been severely wounded when taken, died a few days afterwards. On the 22nd, two members of their Executive Committee were arrested. They were brothers of the name of Sheeres, and barristers of some repute. Nevertheless, on the night of the 23rd of May, the long-expected insurrection broke out. The mails were stopped throughout the kingdom, and the following day bodies of infuriated and ignorant peasantry, armed principally with pikes, and led on by men totally ignorant of warfare, attacked the troops wherever they were stationed without any apparently connected plan. They succeeded in cutting to pieces detachments at Prosperous and Clane, but were repulsed with great loss at Naas, Slane, and Carlow. General Dundas defeated a large mass of them at Kilcullen; and on the 26th, another at Tara. On the 27th, the rebels succeeded in taking Oulart, attacked Enniscorthy next day, and drove back its garrison upon Wexford. They were equally successful with that of Duncannon Fort, formed an entrenched camp upon Vinegar Hill, an eminence overlooking Enniscorthy, and on the 30th took Wexford. On the 8th June, though repulsed at Gorey and Newtown-Barry, they defeated Colonel Walpole at Tubbarneering, and forced General Loftus with fifteen hundred men,

to retreat to Tullow. The same day they were defeated in an attack upon New Ross, with a loss of two thousand men. But noways discouraged, some twenty thousand, on the 9th of June, attacked Arklow, which was defended by a strong force under General Needham. The reckless system of attack which they pursued is graphically described by that general officer in his despatch to the Government reporting their discomfiture: "Whilst two im-
" mense columns were bearing down on his wings,
" the whole of the intermediate space embracing his
" entire front was crowded by a rabble armed with
" pikes and fire-arms, and rushing on without order
" or discipline." It was not difficult for regular troops to annihilate such enemies, but as fast as one body of them was defeated another arose. On the 19th of June, Brigadier-General Moore dispersed a considerable force at Taghmon. On the 21st General Lake with thirteen thousand men took Vinegar Hill, and Wexford surrendered next day. Still they reassembled on other points. Defeated again at Castle Connor, and Kilconnell, in the latter of which they lost a thousand men, they attacked with success detachments at Ballyellis and Ballyrackeen. But the United Irishmen of the north had soon lost heart. Repulsed with loss in an

attack on Antrim, June 7th, and the following day at Saintfield, in the county of Down, they had been completely defeated on the 12th at Ballynahinch. These disasters, and the non-arrival of French assistance, had caused them to despair of success; and the Leinster rebels, almost isolated, after making one more stand near Coolgreney, where they were routed by Sir James Duff, dispersed over the country and fell an easy prey to the vengeance of the yeomanry.

This rebellion has by some writers been called a Roman Catholic one. It is true that the peasantry of Wexford, Roman Catholics in the mass, perpetrated some terrible outrages on the better classes, chiefly Protestants. But their leader was a gentleman of the Church of England; and, if subsequently half a dozen priests were hung for their share in the rebellion, so were half a dozen Presbyterian ministers. The English Government had become but too well aware of the real nature of the contest; and having received information as to the probability of a third attempt on the part of France to effect a landing in Ireland, replaced Lord Camden by the Marquis of Cornwallis. That nobleman reached Dublin on the 20th of June, ordered that no sentence of a court martial should be put into

effect without his signature, and on the 17th of July recommended Parliament to pass an Act of General Amnesty. Scarcely had these well-intended measures restored a degree of tranquillity, when the advanced guard of the long-expected French expedition landed at Killala, in Mayo, on the 22nd of August. This force only numbered some eleven hundred men. The energy and ability of their commander, Humbert, made up, however, for numbers. On the 25th they reached Ballina, drove back a small force which attempted to stop their progress, and turned by a mountain road to Castlebar. Here Generals Hutchinson and Lake had assembled some fifteen hundred men, principally militia. Humbert led his men gallantly on the morning of the 27th, and completely routed them; the Galway volunteers, the Longford and Kilkenny militia, and the fifth Irish Dragoons, all strongly tainted with disaffection, fairly running away. Humbert, however, finding he was only joined by the peasantry, and a few of the runaway militia, fell back on to Foxford and Colooney, at which latter place he defeated a detachment under Colonel Vereker. He then turned on to Manor Hamilton, in Leitrim, and proceeded towards Granard, in the neighbourhood of which the insurrection had been

rekindled. But, in the meanwhile, Lord Cornwallis, who had assembled a large force with the utmost despatch, reached Castlebar the 4th of September, and surrounded Humbert at Ballinamuck on the 8th, when he surrendered after a slight skirmish. The main body of the French expedition sailed on the 20th of September, and was defeated off Lough Swilly the 11th of October by Sir John Warren.[1]

Such were the painful results of a coercive policy, pursued by a Government which did not understand the feelings of those they were called on to govern, and of a Parliament which did not represent the opinions of the people. The rebellion had lasted but a few weeks, and yet some seventy thousand lives, and an enormous amount of property, had been offered in 1798 as a holocaust to the Protestant ascendancy of 1688. Those, however, who had so strongly opposed Catholic Emancipation, and who had been the main cause of these disasters, had a powerful argument for the course which they had pursued. They stated, and truly, that with Ireland possessing an independent legislature, Catholic

[1] Sir R. Musgrave, Memoirs of the Rebellion in Ireland. London, 1802; Holt's Memoirs, edited by Crofton Croker, London, 1838; The United Irishmen, by R. R. Madden, London, 1842; Plowden, Hist. Review of the State of Ireland, London, 1803; Memoirs of Grattan, Lord Castlereagh, Cornwallis, &c.

Emancipation would be tantamount to Catholic ascendancy. That, as the greater portion of the trading community and of the upper classes were Protestant, it would be placing these at the mercy of the lower classes. Yet was it manifestly impossible that England should be called upon to maintain this ascendancy of a Protestant minority at a cost of so much treasure[1] and bloodshed. Besides, to deny the rights of representation to seven-eighths of the population of a country was contrary to the principles of the British Constitution. There was but one way in which this perplexing question could be solved—a union with England. This was no new project.[2] It had been proposed by the Irish peers in 1703 and in 1707. Its renewed agitation in 1759 had been the cause of considerable riots in Dublin. In 1782 it had been earnestly desired by the British Cabinet. Unfortunately George III. was opposed on this great question to his Ministry, and the latter had to adopt a course based on intrigue, the evil effects of which have scarcely passed away. Lord Cornwallis, ably backed by the

[1] The military force for Ireland in 1799 was 32,281 regulars, 26,654 militia, 52,274 yeomanry, and the cost 4,851,307*l.*

[2] *In* England, March 2, 1652, proposed that 30 members from Scotland and 30 from Ireland should sit in the Parliament of England, Rejected by 28 to 26.—Parl. Hist. of England, vol. xx. p. 121.

Secretary for Ireland, Lord Castlereagh, recommended that the broad basis of complete Catholic Emancipation should be adopted, thus bringing to bear on the question of the Union the interests of the great mass of the people. The Ministry, avoiding a negative, informed Lord Cornwallis that he might assure the Roman Catholic prelates and peers that once the Union was completed, they might trust implicitly to the sense of justice of the British people,[1] and the Lord Lieutenant, having thus obtained their adhesion, devoted his attention towards the less difficult task of corrupting the Irish Parliament.

That assembly, with a very few honourable exceptions, had become perfectly indifferent to the interests of the people they were supposed to represent. Still mere nominees of the crown, or of great landed proprietors, they looked only to the interests of their patrons, and the reward which was to follow their exertions. This total incapacity of the Irish Parliament made reflecting Englishmen foresee that Ireland must either be persuaded into a Union or forced into simply becoming one of its provinces.[2]

[1] Memoirs of Lord Castlereagh, vol. iv. p. 8; Lord Castlereagh to Mr. Pitt.

[2] Memoirs of Lord Castlereagh, vol. i. p. 156.

But it was no easy matter to persuade the people of either country. The great mass of the Irish Roman Catholics which of late had begun to feel their power in that country, the Protestant gentry which had identified itself with the governing interest, the ardent republicans of the North, one and all felt that their influence would be swamped by becoming intermingled with the great mass of the English people. On the other hand, the English manufacturing interests were alarmed at extending the benefits they enjoyed to Irish commerce, and many a staunch Church of England yeoman feared that the admission of the Roman Catholic within their political sphere would finally ruin Church and State. It had, nevertheless, become the stern duty of the English Cabinet to conciliate all these opposite interests, induce them to sink their differences, and sacrifice their personal feelings to the public welfare.

The opposition, therefore, which the Government had to overcome comprised that of borough proprietors, the wielders of territorial influence in counties, barristers who had purchased seats as aids to success in their profession, and manufacturers, who, true to the protective spirit of the age, fancied that the Union would enable English merchants to compete successfully with the Irish markets. Interest had

therefore to be opposed to interest. Members had to be bribed to desert their patrons, and patrons to coerce their nominees. For three years the struggle was maintained, and intimidation and bribery went hand in hand. Members holding any crown appointment whatsoever, and voting against the Union, were dismissed. Lord Downshire, a determined opponent of the measure, having induced his regiment of militia to petition against it, was removed from that command, from the governorship of the county of Down, and from the Privy Council. Lord Ely, more acute, remained in opposition only until he secured an English peerage, and it was a cheap bargain, for Lord Ely returned two members for each of the boroughs of Clonmines, Fethard and Bannow, and one for Wexford County. Lord Longueville, who had for many years speculated in boroughs as so much stock, sold the representatives of Cork, Mallow, and six other seats to be made a Viscount. Votes, in fact, were at a premium, and honest men at a discount. The Right Honourable William Ponsonby and Henry Grattan in vain remonstrated that the Union of Ireland with England must be the act of the people; that Parliament must be dissolved and the question left to the decision of the nation. Parliament consistently voted against the

Union for three years, but would not hear of a dissolution, for this Union was a chance which could never occur again. "The Opposition keeps steady to "each other," wrote Lord Castlereagh to the Treasury, "and we therefore require your assistance;" and the Opposition, acting more fairly and openly than the Government, offered 5,000*l.* a vote.[1] The Established Church itself was put up to auction, and the Primacy granted to the Archbishop of Cashel, because Lord Clifden, who had seven votes, Lord Callan, who had two friends in the House, and Mr. Preston, M.P. for Navan, required that it should be so. So degrading, indeed, was the whole course of proceedings that the chief agents themselves painfully felt their position. "The political "jobbing of this country gets the better of men," wrote Lord Cornwallis to his friend General Ross, May 10th, 1799. "It has ever been the wish of my "life to avoid all this dirty business, and I am now "involved in it beyond all bearing, and am conse- "quently more wretched than ever. I trust that I "shall live to get out of this most cursed of all "situations, and most repugnant to my feelings."[2] Influenced, however, by an ardent desire to put a

[1] Memoirs of Lord Cornwallis, vol. iii. p. 184.
[2] Ibid., p. 100.

termination to the unhappy position of both countries, which could only have otherwise ended in the most painful of civil wars, Lord Cornwallis persevered, and after the promotion of nineteen Irish peers, and the creation of twenty-three more, after five English peerages had been bestowed and 1,260,000*l.* divided amongst the borough proprietors; the Irish House of Commons voted the Act of Union, June 7th, 1800, by a majority of sixty-five.

No sooner, however, had this been effected, and Roman Catholics, Protestants, Dissenters, Unionists, and Anti-Unionists prepared to unite together as one people, than Lord Cornwallis was informed that the king would not sanction Catholic Emancipation. It appears that when the Ministry advised Lord Cornwallis of their readiness to grant Catholic Emancipation they had been acting on the supposition that the king on learning, after the ratification of the Union, how deeply they were pledged, would have yielded a reluctant consent. Unfortunately, George III., on being so informed, complained bitterly of their conduct, and expressed his firm determination not to give way. Lords Cornwallis and Castlereagh, deeply mortified, tendered their resignation, and in March, 1801, Pitt likewise resigned, together with Lord Grenville, Lord

Spencer, Lord Camden, and Mr. Wyndham. The Irish people, however, unaware of the real facts, fully believed that they had been intentionally tricked by the Ministry and wished

> "A high gallows, and a windy day,
> To Billy Pitt and Castlereagh."[1]

The contest for Emancipation was now transferred to the United Parliament of Great Britain and Ireland. But so long as George III. reigned it was useless to attempt it. He would not even listen to such a proposal, and in 1807 dismissed the Ministry of Lord Grenville because they refused to pledge themselves not to recommend further concession on this point. In 1811, however, the return of the king's malady, and the appointment of the Regency, renewed the hopes of the Catholics. From that period the question of Catholic Emancipation was recognized in the Cabinet as a neutral one. In 1813 the Roman Catholic Relief Bill was carried by a majority of forty-two; and the admission of Catholics to Parliament was negatived by a majority of only four. In 1816 the majority against the question was thirty-one. In 1819 it was two. In

[1] Memoirs of Lord Cornwallis, vol. iii. p. 325; Memoirs of Lord Castlereagh, vol. iv. p. 24. For the sincerity of Pitt's desire to carry Catholic Emancipation if he could have got the king's consent, see Canning's Speeches, vol. vi. p. 170.

1821 the Relief Bill was passed by a majority of nineteen. In 1822 the Bill for the restoration of the Roman Catholic peers to seats in the House of Lords was carried by a majority of twenty-one. In 1827 the consideration of the question was rejected by a majority of four. In 1828 it was admitted by a majority of six. In fact, of five Parliaments which sat between 1807 and 1829, four declared themselves in favour of Catholic Emancipation. Much of this success was due to the efforts of Henry Grattan, of Lord Castlereagh, and of Mr. Canning, but much, also, to Irish agitation. The people of Ireland, restrained by an imposing force from any open attempt against the Government, had nevertheless kept up a steady system of agrarian outrage. In 1803 a few foolish enthusiasts, deceived by this display of disaffection, sought to raise another rebellion. Their leaders were Robert Emmett, brother to Emmett the United Irishman, and Thomas Russell, a magistrate of Tyrone, who had suffered imprisonment from 1792 to 1801 for his political opinions. Having purchased a few pikes and old muskets, issued some thousands of inflammatory pamphlets, and sworn in some hundreds of the lower classes, they fixed the 4th of July, 1802, for another universal rising throughout Ireland. At nine P.M. of

that day Emmett appeared in full uniform in the streets of Dublin, and collected about a hundred ruffians, when, suddenly struck with the hopelessness of the whole affair, he fled, leaving his followers to scour the streets and murder a few helpless individuals, amongst whom was Lord Kilwarden, before they could be dispersed. The whole affair was over by eleven P.M. Russell in the North was more fortunate. He could only get together some fourteen followers and no blood was shed. These foolish attempts, however, forced the Government to renew stringent measures. The yeomanry was again called out for permanent duty, and martial law enforced with much severity. Nevertheless the people still maintained a system of passive resistance. In 1805 they began to form Repeal of the Union Societies; and in 1806 the peasantry, under the name of Threshers, once more terrified the orderly portion of the community by savage attacks on tithe properties. The Insurrection Act was again put in force; and in hope of putting a stop to agitation for Catholic Emancipation, the Catholic Association was declared illegal. These steps were, however, useless. The Insurrection Act had to be continued in force till 1810. In 1814 it was renewed, and was continued till 1817. In 1822 it was again revived, and

was continued till 1825. The Catholic Association, declared illegal in 1807, was reorganised in 1810 under the name of the Catholic Committee. This society consisted of Catholic peers and their eldest sons, Catholic baronets, and prelates. Ten persons were chosen from each county and five from each parish of Dublin. No sooner did this Committee meet than it was suppressed, and no sooner was it suppressed than it was succeeded by the Catholic Convention. In 1814 the Convention was declared illegal, but in 1823 the association was in full vigour; and in 1825 its leaders, wearied with seeing their hopes of success so often blighted, determined to intimidate the Government into concession. Delegates were sent by them to organize the agitation carried on by the peasantry, and in this capacity of delegate, Richard Lalor Sheil and Daniel O'Connell first became known to the political world. The tact with which they could arouse the passions of the Irish peasant and at the same time induce him to keep within legal limits was marvellous. The chief object of the Association was to strengthen their party in the House of Commons, and the people were directed to vote against any one opposed to the cause of emancipation. To counteract this movement, an act was passed for the suppression of dangerous

associations, but obedient to the mandate of the Association, the forty shilling freeholders of Waterford in 1828, rejected Lord George Beresford, one of a family which represented the county seventy years, and returned a nominee of the Association, a Mr. Stuart. O'Connell had been his counsel, and so ably did he conduct the election, that the Association selected him for a still more difficult purpose. By law no one could take his seat in Parliament without taking an oath in which were the words: "that the sacrifice of the mass, and the invocation "of the Virgin Mary and other saints, as now "practised in the Church of Rome, are impious and "idolatrous;" consequently no Roman Catholic could take his seat. There was, however, no law in existence forbidding his being a candidate or being elected. A vacancy having taken place in Clare in 1828, Mr. O'Connell, who was a Roman Catholic, stood, and before the Government could recover from its surprise, was elected. The excitement became intense. Catholic Emancipation was now a universal question. Societies had been formed in France, Germany, and America, for the support of the Association, and its cause divided public attention with that of Greek freedom. In Ireland itself it wanted but the word, to create a rebellion which

would have obtained the sympathy of all Europe. The Government of the Duke of Wellington wisely averted the storm, and the Catholic Relief Bill of 1829 was passed.[1] It was not, however, carried without a struggle. The forty shilling freeholders, who had so valiantly fought the election contests in Waterford and Clare, were disfranchised. Sir Robert Peel had to resign his seat for the University of Oxford. The Duke of Wellington had considerable difficulty in inducing George IV. to give his consent to the measure, and was obliged to call out Lord Winchilsea, who had accused him of acting insidiously in the matter. "Indeed," wrote he to the Duke of Buckingham, April 21st, 1829, "the "truth is, that the duel with Lord Winchilsea was "as much part of the Roman Catholic question, and "it was as necessary to undertake it, and carry it "to the extremity to which I did carry it, as it was "to do everything else which I did do, to obtain "the object which I had in view."[2]

[1] Civil Correspondence of the Duke of Wellington in Ireland, 1807-1809; Historical Sketch of the late Catholic Association in Ireland, by Thomas Wyse; Memoirs by the Right Hon. Sir Robert Peel, Part I., Lond. 1856.

[2] Duke of Buckingham, Memoirs of George IV., vol. ii. p. 397.

## CHAPTER VIII.

### THE IRISH DEMAGOGUE.

BEFORE proceeding to review the events which have taken place in Ireland from 1829 up to the present day, it is perhaps desirable to examine into the condition of the people of that country at the time of passing the Catholic Emancipation Act.

There can be no doubt that they had already derived great benefit from the complete freedom given to trade by the Act of Union. In 1801, the imports from Great Britain were but 3,270,350*l.*, and exports thither 3,537,725*l.*; in 1830, they were 7,048,936*l.*, and 8,531,355*l.* respectively. In 1801, Ireland imported from England but 44,314 yards of cotton manufacture, 147,028 lb. of cotton wool, and 315,345 tons of coal; in 1825, it imported 4,996,885 yards of cotton manufacture, 2,112,774 lb. of wool, and 738,453 tons of coal. Ireland exported, in 1806,

3,611,236 yards of linen; in 1830, it had increased its supply to 7,947,413 yards.[1] Agriculture had made similar progress. A more scientific system of succession crops had been introduced, better kinds of agricultural implements were being used, and good roads had been made throughout the country. The benefit of all this was necessarily being felt by the people. They were better clothed and better fed, better kinds of dwellings were being erected, and the excise revenue, which in 1800 was but 475,732*l.*, was in 1829, 1,979,780*l.*[2] Nevertheless, the Irish had not yet attained the social position of the other civilized states of Europe. Travellers saw with pain the wretched mud hovels of its millions of peasantry, where a whole family would live in company with the pig and the poultry, all equally satisfied with the one clayed-floor room, and with the smoke of the turf fire smouldering in the midst of it.[3] They would narrate how a few yards of *con*-acre land, wherein to plant a crop of potatoes, a hovel to take shelter in, and a few ragged garments to cover himself with, made the Irish peasant perfectly happy; and, unacquainted with the previous

[1] Speeches of Right Hon. Spring Rice and of Emerson Tennant, April 24, 1834.

[2] Parl. Reports, State of the poor in Ireland, 1830, vol. iii.

[3] Ibid., vol. vii.

history of that people, they would severely blame the upper classes for this condition of things. It is true that many of the great landowners were absentees. It may be likewise true that some of the resident gentry cared but little about those beneath them, and that many had so heavily mortgaged their estates, that they could not have improved the position of their tenants had they wished; but it must be likewise admitted that the peasantry were still tainted with the barbarism of their forefathers, and objected to the civilization which was in progress of being forced upon them by a daily increasing trade, &c. Indeed, unable to face the reality of labour being the fate of mankind, they sought refuge in dreamy visions, which were ever strangely affected by the ruggedness of their purple-tinted hills and the gloom of their clouded skies.[1] It was not, therefore, difficult for heartless demagogues to make them believe that the vain freedom they might gain by a repeal of the Union would far more than compensate for any advantages the blessings of labour might confer on them. Catholic Emancipation had been a great victory gained by public

[1] "There is no doubt that the moral no less than the physical condi-"tion of that people is one of great degradation."—Earl Russell in 1835. Hansard's Debates, 3rd Series, vol. xxvii. p. 36.

opinion over sectarianism; but, to the Irish demagogue, Catholic Emancipation was but a lever on which to rest the downfall of the Protestant interest in Ireland. So long as the Roman Catholics formed merely a section of the people of the United Kingdom, that interest was secure; but with the repeal of the Union would arise Roman Catholic Ascendancy in Ireland. Unfortunately, also, the old grievance of tithes was still in full force, and O'Connell, artfully combining the two, aroused all the savage feeling of the peasantry to further his own petty personal interests. Audaciously asserting that the Catholic Emancipation Act was of no value compared to the abolition of tithes, and that neither could be compared to seeing Ireland

> "Great, glorious, and free,
> First flower of the earth and first gem of the sea,"

he preached sedition throughout the land.[1] The people readily answered to his appeal, and murders, arsons, robbing of arms, &c., were soon as common as in the worst days of the White Boy disorders.

[1] "But Mr. O'Connell's obstinacy, his perseverance in mischief, and, "unfortunately, his influence over a portion of the lower classes in Ireland "are such, that it is impossible not to anticipate the necessity, not only "of the renewal of the Proclamation Act, but also of arming the Govern- "ment with further powers," &c.—King to Earl Grey, Jan. 14, 1831; Correspondence of Earl Grey with King William IV. London, 1867.

The Government, then that of Earl Grey, was fairly surprised. It was not only most anxious to remove the heartburnings caused by the tithe question, but even prepared, with the full consent of the Crown, to recommend to Parliament the stipending of the Roman Catholic clergy.[1] But it could not understand how, when the English people had just granted full political privileges to the Roman Catholics, whose representatives could bring before the House of Commons any grievance under which they laboured, the very moment of such success should be chosen for recommencing a fresh agrarian war.[2] Yet, had the Government acted a straightforward course, much of the subsequent evils would have been mitigated. O'Connell and his satellites were decidedly guilty of creating sedition, and the law should have taken its course. The peasants, deprived of their leaders, and having witnessed their weakness, would have acknow-

[1] "The king has observed with satisfaction in Lord Anglesey's despatch the expression of a strong opinion in favour of paying the "Roman Catholic clergy, *as his* Majesty's sentiments have always been "in support of an arrangement of this nature, if it could be introduced; "and as he is convinced that the sum applied to it would be returned "with interest in the influence and other advantages it would secure to "the Government." The King to Earl Grey, Jan. 14, 1831. "To attach "the Irish priesthood to the Government by the ties of a common interest "is also an object which their payment alone affords a reasonable hope "of obtaining."—Earl Grey to the King, Jan. 15, 1831.

[2] Speeches of Earl Grey, Macaulay, Lord J. Russell, Sir R. Peel, Feb. 1833.—Hansard's Debates.

ledged the law. But Government, whilst alarmed at the series of outrages reported from day to day, was desirous, if possible, of propitiating O'Connell and his party, so as to obtain their support for the British Reform Bill.[1] The people of Ireland cared little about the Reform agitation in England. The alteration in the borough system at the time of the Union, and the creation of the ten-pound franchise in 1828, had left little for them to demand in this respect. O'Connell and his adherents were therefore to be gained only by being allowed to agitate in Ireland to their hearts' delight, and the vacillating Government tacitly acquiesced in this. The Marquis of Anglesey, then Lord Lieutenant, caused O'Connell and his leading partisans to be apprehended on the 18th January, 1831, on charges of creating disaffection, for which they were shortly after tried and found guilty ;[2] but the Government allowed them to escape

[1] Earl Grey to the King.—"Before Mr. O'Connell's return to Ireland "Earl Grey would have thought any terms, consistent with propriety, "advisable for preventing the agitation which has since taken place. "But he now entertains more than a strong doubt whether any attempt "on the part of the Government to conciliate a man who has done all the "mischief in his power would be either honourable or useful."—Jan. 27, 1831.

[2] Sir H. Taylor to Earl Grey.—"And he" (the king) "has learnt "with great satisfaction from Lord Melbourne the arrest of Mr. O'Connell "and his associates."—Jan. 21, 1831.

King to Earl Grey.—"The issue of a proclamation, more generally

being sentenced. The consequence of this ill-advised leniency was that, on the 10th of May the Insurrection Act had to be applied to Clare, Roscommon, Galway, and Tipperary. O'Connell, noways discouraged, kept on agitating, and sanguinary riots took place at Castle Pollard on the 23rd of the same month; at Newtown-Barry on 28th June; at Kilkenny[1] on 25th November; and at Knocktopher, on the 18th December. In 1832 the country was in a still worse state, if possible, than in 1831. Murders had increased from 247 in number to 429; and in February, 1833, Earl Grey had to introduce a Bill for the more effectual suppression of local disturbances and dangerous associations in Ireland.

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"applicable to seditious meetings, appears to the king very judicious; "and his Majesty rejoices that ground has offered for the prosecution "of O'Connell, and that Steel is arrested. His Majesty will never "withhold his approbation and his sanction *from acts* of vigour when "they are called for; and it appears to him most important to assume "and to maintain in every measure of the Government a firm atti- "tude at a period when the object of the faction and of the agitators "is to set at defiance, or to bring into contempt, all government and "legal authority."—Jan. 17, 1831.

[1] "He (the king) had noticed with great concern the distressing "account of the disastrous affray in the county of Kilkenny on account "of tithes, which however offers, in his opinion, additional proof of the "necessity of some very efficient step to remedy this evil. Mr. O'Con- "nell appears to be stirring the fire; and I fear that you will be called "upon for more troops in Ireland, as the example of violence, and espe- "cially if it has been successful, is always contagious in that inflam- "mable population."—Sir Henry Taylor to Earl Grey.

In the vain hope of finally satisfying the Irish people, the Government induced the House of Commons, although fully occupied with the English Reform Bill, to take up the question of tithes in Ireland. This subject had been an anxious one to many an eminent statesman. Lord Castlereagh, when Secretary for Ireland, had drawn up a most able report upon it. He had pointed out therein how seven-eighths of the population, differing in religion from the Established Church, naturally objected to an impost, which was a tax in addition to that which they paid their own clergy. He showed how unequally it fell on the people, large proprietors of grazing land being exempt, whilst the herdsman on that land had to pay on the small amount of potato or corn he grew for the consumption of his family; and he especially drew attention to the obstruction it put in the way of all agricultural improvement, a fact admitted by the best friends of the Established Church.[1] He therefore proposed, that in lieu of tithes demandable in kind, levied by the tithe proctor from numberless cottars, an arrangement should be entered into

[1] "But of all institutions which are this way adverse to cultivation "and improvement, none is so noxious as that of tithes."—Paley, Moral and Political Philosophy, vol. ii. p. 407.

between the incumbent of a parish and his parishioners for twenty-one years, by which the former should receive an acreable payment, settled on eight years' average value of grain.[1] A Bill based on this proposition had been introduced by Lord Liverpool for commutation of tithes, and passed in 1824, under the slightly-altered form of the Tithe Composition Act.[2] This, however, had not produced the result anticipated. The real objection of the Irish was not to the sum which they had to pay, but to paying at all, and the tithe war was carried on as fiercely as ever, the clergy in many instances being absolutely in a state of want.[3] In 1831-32 committees were appointed in the House of Lords, as well as in the House of Commons, to make further inquiry into the case, and their report was unanimous in insisting that, whilst the present law should be enforced and all tithes due recovered, they should for the future be commuted for a charge upon land.[4] It was, however, considered advisable to try first what would be the effect of making the composition for tithes voluntary

[1] Memoirs of Lord Castlereagh, vol. iv. p. 193.
[2] 4 Geo. IV. c. 99, amended by 5 Geo. IV. c. 63.
[3] Parl. Report Tithes in Ireland, 1832.
[4] Ibid.

instead of compulsory.[1] The experiment, like all former ones, failed; and in 1838 a rent-charge based on the average price of corn was substituted in its stead.[2] Great concessions were likewise made to the Irish Roman Catholics on other points. In 1831 measures were adopted by the present Lord Derby to render the education carried on in the national schools, a secular one, instead of, as formerly, conformable to the Established Church.[3] In 1832 all party processions whatever were prohibited, an act aimed especially at the Orange Society;[4] and in 1833 Lord Derby assisted Lord Althorp in abolishing the vestry cess, and reducing the Church of Ireland establishment.[5] The former of these was got rid of by a tax of ten per cent. on all livings over three hundred pounds a year; the latter effected by the reduction of the bishoprics of Dromore, Clogher, Raphoe, Elphin, Clonfert, Killala, Kildare, Cork, Waterford, and Ossory. In fact, whatever could be asked by the Irish in reason was cheerfully granted. No concessions or benefits,

[1] Statutes 2 & 3 Will. IV. c. 119, amended by 3 & 4 Will. IV. c. 100.

[2] Statutes 1 & 2 Vic. c. 109, amended by 3 Vic. c. 13.

[3] Hansard's Deb., Sept. 9, 1831.

[4] 2 & 3 Will. IV. c. 114.

[5] 3 & 4 Will. IV. c. 37.

however, could gain the hearts of the people of Ireland. In vain were large sums expended in making roads through mountainous districts, in reclaiming bogs, in improving harbours, or canal navigation. Eminent English statesmen were, however, as much to blame for this as the most ignorant of the Irish peasantry. The Irish question had become a stalking-horse to power, and the Roman Catholics of Ireland were soon taught by English ministers as well as by their own demagogues, how, having obtained their rights, their next duty was to endeavour to deprive their former opponents of theirs.

On the 22nd of April, 1834, O'Connell moved in the House of Commons for a Committee to inquire into the means by which the dissolution of the Parliament of Ireland was effected; on the effect of that measure on Ireland; and on the probable consequences of continuing the legislative union between the two countries. He was defeated by 523 to 38. The two great parties in England, who ruled the destinies of the nation, expressed their very deliberate opinion that Ireland should remain an integral portion of the British empire, but each were determined not to assist the other in endeavouring to establish peace throughout Ireland.

In July, 1834, Earl Grey had to resign office for

want of proper support with reference to a fresh Irish Coercion Bill which had been forced upon him by the continual increase of crime in that country.[1] Earl Grey was succeeded by Sir Robert Peel. But the great Liberal party was hungry for office, and on the 30th of March, 1835, Lord John Russell brought forward a motion, "That the House "do resolve itself into a Committee of the whole "House, to consider the temporalities of the Church "of Ireland." Nothing could appear fairer than such a proposition as so worded, but the object of the proposition was to take away some unstated portion of its revenues on the plea of its being applied to the general education of all classes of the people without religious distinction. It afforded a great debate. A vast amount of ignorance was displayed as to the real amount of revenue possessed by the Established Church in Ireland. Lord John Russell stated it to be about 800,000*l.* Mr. Littleton, late Secretary for Ireland, said that it exceeded that sum; and others put it at 900,000*l.* Sir Robert Peel plainly proved that it did not exceed 450,000*l.* But figures mattered little.

[1] Murders had decreased from 429 in 1832 to 387 in 1833 and 363 in 1834, but assaults had proportionately increased from 4236 to 5127 and 6590.

Whether the Established Church of Ireland was or was not debarred of part of its revenue signified less. The object was to embarrass the Government. "Surely," appealed the Prime Minister "Ireland is convulsed enough already—

> "There, hot and cold and moist and dry
> Contend alike for mastery."

But Ireland was but the excuse. Lord John Russell "threw chaos in." Sir Robert Peel resigned, and Lord Melbourne succeeded.[1] O'Connell once more ruled triumphant, and the Established Church of Ireland, having served its purpose, was forgotten for a time amidst a renewed agitation for Repeal of the Union. No sooner did public attention flag from becoming accustomed to it under one form, than O'Connell immediately instituted another, until finally, in 1843, anxious to show his power over the masses, he called together monster meetings. On the 16th of March about 30,000 men met him at Trim. On the 14th of May 100,000 assembled at Mullingar, and the Repeal Fund was averaging 600*l.* to 700*l.* per week. On the 15th of August 250,000 people are said to have been present at Tara. O'Connell and the Repeal Association, in fact, governed Ireland.

[1] Hansard's Debates, March and April, 1835.

It was necessary to take decisive steps. A repeal meeting having been appointed for the 8th of October at Clontarf, a proclamation was issued by the Government on the 7th forbidding it, and the intended ground was preoccupied by a strong military force. O'Connell did not dare present himself, and was arrested the following week, together with a few of his more prominent supporters, on charges of sedition and conspiracy. On the 15th of January following he was a second time tried for creating disaffection, and was sentenced to twelve months' imprisonment and a fine of 500*l.*, and to find security for future good behaviour in 2,000*l.*; and, although the sentence was subsequently reversed by the House of Lords on a legal technicality, the spell he had hitherto exercised was broken, and the firmness of the Government of 1843 checked an insane agitation, which never would have taken place had the Government of 1831 done its duty.

The country having been restored to something like a state of tranquillity, further measures of conciliation and improvement were introduced into the House of Commons. Amongst these was an increase of the grant to Maynooth from 9,000*l.* to 26,000*l.* a year, which was proposed by Sir

Robert Peel on the 3rd of April, 1845. It was made on the ground, that educating Romish priests in Ireland rendered them more loyal and that their influence over the people would make the people more loyal in their turn. But how to conciliate the Romish Church in Ireland is a question not easy of solution. So long as England was a Roman Catholic state, the Irish churchman was ever opposed to the English churchman in Ireland, whom he always looked upon as an intruder. He then cared but little for the See of Rome, which he considered as guilty of the crime of having sold for Peter's pence the lordship of Ireland against the will and wishes of its people. As soon, however, as England separated from Rome, the Irish churchman became the strongest of papal adherents and has remained so ever since. Lord Castlereagh thought he could induce the Roman Catholic priest to be more loyal by causing him to be endowed with a State stipend instead of having to rely on the alms of an impoverished peasantry; but he feared that the bigotry of the English people would prevent his carrying out such a step. Yet even George III. acknowledged the propriety of doing so.[1]

[1] Sir H. Taylor to Earl Grey, Dec. 22, 1831. Correspondence of Earl Grey with King William IV. Lond., 1867.

In 1831 Earl Grey strongly urged this point on William IV. "But what appears to me most "indispensable to the peace and safety of Ireland," he wrote, "is the attaching by some provision the "Catholic priesthood to the Government of the "country. For this, in some respects, the moment "is favourable, as the leaders of that Church are, at "least some of the most powerful amongst them, "at variance with O'Connell; and they must per- "ceive, though he may avail himself of their assist- "ance to pull down the Protestant Church, that "the re-establishment of the former power and "influence of the Catholic Church is the last thing "in his contemplation. But then the first step "that was taken for this purpose the whole of the "Orange party would be out upon us as enemies of "the Established Church, and intending to substi- "tute a Catholic Church in its stead."[1]

But there was an opposition to this, far more serious than either the bigotry of Protestant England or of the Irish Orangemen—the bitter opposition of the Roman Catholic priesthood in Ireland.[2] This determination is difficult to understand. The Church of Rome does not prohibit the salary of their

[1] Dec. 19, 1831. Earl Grey to Sir H. Taylor. Correspondence of Earl Grey with King William IV. Lond., 1867.

[2] Appendix F.

priesthood by the State in which they exercise their spiritual functions. In Ireland alone, whilst they complain of the Church establishment being a monopoly, do they refuse Government aid, and yet even in Ireland, only as far back as 1799, it was admitted by them, "that a provision through Government for the Roman Catholic clergy of this "kingdom, competent and secured, ought to be "thankfully accepted."[1]

A far more statesmanlike act than the endowment of Maynooth (that same year) was the foundation of the Queen's Colleges in Ireland, secular seminaries built and endowed by the State at Belfast, Cork, and Galway. But these measures, well meant as they were, were coldly received by the Irish people, who kept up a feverish agitation without any definite object, and forced the Government to fill the country with constabulary and troops.

Unfortunately, also, Irish disaffection was again made subservient in Parliament to party warfare. On the 30th of March, 1846, the Government of Sir Robert Peel had to introduce a Bill for the Protection of Life in Ireland. It was at once objected to by influential members of the Opposition. On June 8th it was read a second time. On the 25th

[1] Appendix G.

it was rejected, and on the 29th the Ministry resigned. Yet there was no doubt as to the necessity for the Bill. But Sir Robert Peel had carried his Corn Importation Bill. The Protectionist party would have voted for or against any measure which could have driven him from office—the Whig party for or against any measure which could bring them into office. The Whigs voted with Sir Robert Peel for the Corn Importation Bill, and with the Protectionist party against the Protection for Life Bill, and Lord John Russell replaced Sir Robert Peel. But, as usual, a change in the Government in no way affected a change in the feelings of the discontented portion of the community in Ireland.

A decree of Providence was, however, hovering over the land. In the autumn of 1845 the potato crop, which formed the mainstay of the peasantry, became extensively diseased, and famine soon began to make its appearance. Every attempt was made to alleviate the distress. Relief works were established; large sums subscribed. Quantities of corn were poured into the country; and the potato crop of 1846 was hopefully looked forward to. On the 27th of July of that year it looked fair throughout the island. On the 3rd of August the

fields were black with putrefied vegetation. Gigantic efforts were at once made to mitigate so fearful a calamity; but, to add to the evil, everywhere on the Continent there had been bad harvests. Nevertheless, wherever grain could be bought, it was purchased, and ships were hired for its transport at unprecedented freights. But it was perfectly impossible to provide for everybody, and almost as difficult to discriminate between those who could possibly pay famine prices and those who could not. In hopes of doing so, the Government in the month of June, previous to the second failure, had instituted road-making, and by the month of August some ninety-seven thousand men were thus employed; but as the effects of the second famine began to make themselves felt, the whole population looked to the Government for support. Farmers dismissed their labourers, and sent them on the works; the fisheries were deserted; and by March, 1847, 734,000 men were thus employed, representing 3,000,000 persons. It was, however, too evident that, not only was it impossible to continue maintaining this enormous population, but that to do so would be to prevent the land being tilled. Yet it was almost equally impossible to induce the people to return to the cultivation of

their fields after the loss of two crops, unless the markets could be kept supplied until the following season. To effect this, the whole world was ransacked for supplies. In the first six months of 1847, 2,849,508 quarters of grain were imported, then worth 8,764,943*l.*, and besides every corn mill in Ireland, the Admiralty mills at Deptford, Portsmouth, Plymouth, and Malta were at work. The consequence was that the price of Indian corn, which in February, 1847, had been 19*l.* per ton, at the end of March was 13*l.*, and at the end of August was but 7*l.* 10*s.*, whilst the freightage per barrel from America to England had fallen from 9*s.* to 1*s.* 9*d.*—results which enabled the Government to gradually discharge the peasantry from off the relief works. On the 20th of March 20 per cent. were struck off, and by the 26th of June only 28,000 men remained employed at the public expense.[1]

It was long, however, before the country resumed its wonted appearance. Agitators continued working on the misery of the people in order to create political capital. The peasantry were made to believe that the famine was but another instance of the result of English misrule, and, reckless from

[1] Sir Charles Trevelyan, The Irish Crisis.

long suffering, they began to seek the repeal of the Union by force. The repeal agitation had, by 1842, given birth to a Young Ireland party—a party of action, based on religious equality, which repudiated O'Connell's mere political agitation and his strict adhesion to the Roman Catholic element. Amongst them were some men of education and even scholars; but, like most political enthusiasts in Ireland, having no defined notions of the grievances they were suffering under, or of the remedies of which they were desirous, they sought in the regions of poetry for their excuse for disaffection to the State; and the writings of one of their leaders, Thomas Davis, are the best exponents of their ideas. Spenser tells us how easily the Irish in his time were induced to commit any act of atrocity by the effusions of their rhymers; and the criminal loss of life occasioned by the insane outbreak of young Emmett, in 1803, is only remembered by many at the present day as connected with Moore's beautiful melody of "Oh, breathe not his name." Young Ireland adopted Theobald Wolfe Tone as their type of political martyr, and as the misguided enthusiasts repeated Davis's poem of "In Bodenstown churchyard there is a green grave,"[1] they

[1] Poems of Thomas Davis. Dublin, 1846.

almost believed that Ireland was still suffering from some extraordinary misgovernment, and that she would yet arise a separate and powerful nation. In 1844 they adopted as their leader Mr. Smith O'Brien, Member for the city of Limerick, a gentlemanly, but weak-minded descendant of the Earls of Thomond; and in 1846 the "Young Irelanders," having entirely separated from the O'Connell faction and styled themselves the "Irish Confederation," alarmed the country by speeches and writings of the most violent character. The Lord Lieutenant, Lord Clarendon, had to apply to that Government which in June, 1846, had turned out Sir Robert Peel on account of his Protection for Life Bill, for extensive powers to restrain crimes and outrages. But the "Confederates," gaining fresh courage from the revolution which broke out in France in February, 1848, sent over a deputation, headed by Mr. O'Brien, to seek assistance from its Provisional Government. In this, as might have been foreseen by any men of common sense, they utterly failed; *yet still* under the spell of some fatal delusion, they dreamt of support from a Roman Catholic peasantry in a contest in which the Roman Catholic religion was repudiated, and from an aristocracy which was to find its annihilation in case of

success. On the 29th of April, Mr. Smith O'Brien and two of his more prominent supporters, Messrs. Mitchell and Meagher, were entertained at Limerick by their admirers; but the "Old Ireland" party in that town burnt Mitchell in effigy, and O'Brien was seriously hurt in the riot which ensued. Attempts were made to conciliate the "Old" and "Young Ireland" parties, but this was at once checked by the influence of the priesthood. Still the leaders of the Confederation dreamt of thousands who were to join their standard and deliver Ireland from the thrall of the Saxon. On the 15th of May, Mr. Smith O'Brien, and, on the 16th, Meagher, were tried for sedition, but the jurors could not agree, and this was to them another sign of their power. But on the 22nd, Mr. Mitchell was tried for felony, found guilty, and sentenced to be transported for fourteen years; and their adherents, satisfied with meeting at their clubs and relieving their minds by making seditious speeches, did not attempt to rescue him. On the 25th of July the Habeas Corpus Act was suspended, but Smith O'Brien, who thought he would be beforehand, left for Wexford on the 22nd, and proceeded through Carlow to Tipperary. At Mullinahone, a few of the peasantry turned out, and

he proceeded to Ballingarry; but here his followers were dispersed by a small force of constabulary, and he himself fled ignominiously, leaving his misguided adherents to their fate. Arrested shortly afterwards, he was, together with his chief associates, tried and transported. The rising was at an end, but the whole community was bankrupt. Irish landlords had ever lived up to their incomes, and frequently beyond them; consequently, the loss of rents, and the sums which had to be borrowed during these two years of famine and disorder, had utterly ruined them. The tenant, equally reckless, was in debt for his rent, and without the means even of sowing for the next harvest. The peasantry, debilitated by fever and starvation, believed that there was a curse on the soil, and that tillage was a useless labour. To remedy this painful state of things, the Government adopted two measures eminently successful. The first of these was Emigration; the second, the Encumbered Estates Act. One great source of evil in Ireland had been the attachment of the people to the immediate locality of their birth. The population as it had increased, instead of seeking for employment over the surface of the empire, or in the colonies, had squatted where it had been bred,

and, satisfied with potatoes for food, and a mud hovel for a dwelling, had increased from 6,801,827 in 1821, to 8,196,597 in 1841.[1] In 1841, in the county of Cavan alone, there were 10,807 holding under five acres, and 23,000 under fifteen acres. The tenants, consequently, were generally unable to pay rent, yet if evicted for non-payment, they had to starve, wherefore this eviction was often revenged on the landlord or the next occupant, on the old principle of life for life. Every year this matter was growing worse and worse.[2] It was, therefore, with considerable anxiety that measures for inducing a large portion of this mass of agricultural labour to emigrate were proposed by Parliament; but so intense was the fear amongst the people of another famine, that between 1847 and 1854 nearly two millions

[1] En 1847 la population rurale surabondait en Irelande; elle s'élevait en moyenne a 60 têtes par 100 hectares, tandis qu'en France elle était de 40. Le genre de culture qui domine en Irlande diffère d'ailleurs profondément de la culture Française; la vigne qui exige tant de bras, y est inconnue, et les autres cultures industrielles qui font la richesses de nos plus florissantes campagnes ne s'y sont pas naturalisées, a l'exception du lin. La nature des choses veut que la population rurale soit en Irlande moins nombreuse qu'en France, et elle était bien supérieure.—L'Irlande en 1867, par M. Leónce de Lavergne, Revue des Deux Mondes, Dec. 1867.

[2] Colonization from Ireland, Parl. Rep. 1847—1848; Ireland, by Jonathan Binns, Agricultural Commissioner of the Irish Poor Inquiry, 1837; Letters on the Condition of the People of Ireland, by Campbell Foster, 1846, &c.; The Devon Commission.

emigrated.[1] The result was a steady and gradual increase in the price of labour; but to render this of any benefit to the country it was necessary that capital should exist, and consequently that property should change hands. This was no easy matter. A most searching and able inquiry into this question of the occupation of land in Ireland had been made by a Royal Commission appointed in November, 1843, and which reported in February, 1845.[2] It was found that land in Ireland was held throughout that country by the most uncertain of tenures. In days of yore, many who had obtained large grants from the crown, or bought up a forfeited property for a mere nothing, had divided them into several fractions, which they had let on leases of lives renewable for ever.[3] These had been subdivided and re-let on terms of ninety-nine years; and portions of these had again been re-let for thirty-one and seven years; and in many cases the latter had been divided and farmed out to cottars at yearly

[1] Debate in the House of Lords, June 4, 1847.—Hansard's Debates; Sixteenth Gen. Report of the Emigration Commissioners, Parl. Rep. 1854.

[2] Report of Her Majesty's Commissioners of Inquiry into the state of the law and practice in respect to the occupation of land in Ireland, Feb. 1845.

[3] Many curious examples of land tenure in Ireland in days gone by are to be found in "A list of the claims as they are entered with "the trustees at Chichester House on College Green, Dublin, on or "before the 10th of August, 1700."—Dublin, 1701.

rents. The impossibility, therefore, of getting a clear title deterred capitalists from investing in Ireland, and debarred likewise the embarrassed Irish landlords from being able to sell their lands. To remedy this, early in 1847, a Bill was introduced facilitating the sale of encumbered estates, by which the Court of Chancery obtained full power to investigate each case and give a clear title to the purchaser. Owing to the opposition of Irish members, this Bill was not passed till 1848;[1] subsequently it was found that the press of other business hindered the Court of Chancery from affording the necessary time, and Commissioners were appointed in 1849 with the power of the Court of Chancery in such cases.[2] Since then the amount of encumbered property sold has been enormous. So valuable were the results of this enactment that in 1858 a further Act was passed to enable the Encumbered Estates Court to sell unencumbered estates, and the Landed Estates Court took the place of the Encumbered Estates, and the capital brought into Ireland, and the diminished number of agricultural labourers[3]

[1] 11 & 12 Vic. c. 48. [2] 12 & 13 Vic. c. 77.

[3] "Dans son état actuel l'Irlande est encore aussi peuple que la France, "proportionellement a sa surface et sa population rurale excède encore "la notre de beaucoup."—Revue des Deux Mondes, Dec. 1867; L'Irlande en 1867, par M. Léone de Lavergne.

has given an impetus to the moral and social improvement of that country unexpected by its warmest advocates.[1]

The population, which in 1841 was 8,196,597, had been reduced in 1861 to 5,798,967; yet during that period the number of first-class houses had increased from 40,080 to 55,416; second-class had increased from 264,184 to 360,698; third-class had decreased by 43,629; and the mud hovels from 401,904 to 89,374. The inmates of workhouses in 1851 were 249,877; in 1861 but 49,984; and in gaols had fallen during the same period from 15,898 to 4,217. In 1841 the amount of arable land was 13,464,300 acres; in 1861 it was 15,465,825 acres, and in 1866 it was 15,549,796 acres. Pasture-land has been reclaimed proportionately, livestock has increased from the value of 21,105,508*l.* in 1841 to 33,363,194*l.* in 1861, and the gross revenue of Ireland from 4,158,677*l.* to 6,792,606*l.*[2] This is a vast improvement, but it

[1] Up to August, 1859, property was sold to the amount of 25,190,839*l.* By 1868 it has reached nearly 40,000,000*l.* I had hoped to obtain a return of the detail of the quantity of land which has changed ownership under these Acts, and of the counties in which it had taken place, but regret to say that every impediment has been placed in the way by the officials of the court.

[2] Census of 1861; Parl. Returns, Ireland, 1866—1867; Revenue and Population, Ireland, Parl. Papers, 1867.

is not to be supposed that a people who have gone through such vicissitudes as the inhabitants of Ireland, should within a few years of a wise and more impartial policy be suddenly and entirely reclaimed to habits of thrift and industry. The Irish character, deeply tainted with its unfortunate weaknesses[1] aggravated by ill-usage, has still to redeem itself. In 1847-48 even the extreme Liberal party in England viewed the Irishman with more than distrust. "Ireland is idle," exclaimed one of the most talented and able members of that party[2]— "Ireland is idle, and therefore she starves; Ireland "starves, and therefore she rebels." Again in 1848, in the debate on the Employment of the Poor, he said: "The past of Ireland is known to us all; it is a "tale of idleness and poverty, and periodical insur- "rection; and the present of Ireland is like the "past, except that at this moment all its ordinary "evils are exhibited in an aggravated form. . . . Take

[1] There is no man who more thoroughly understands the Irish character, and yet at the same time is more anxious to put it in the best light than Mr. Maguire, M.P.; but speaking of them as they were a few short years ago, in his "Irish in America," he is obliged to say: "Instigated by the devil whisky, the old insane and meaningless jea- "lousies broke out, not the Catholic against the Protestant; not the "Green against the Orange; but Munster against Connaught, and "Connemara against Cork."

[2] Mr. Bright, in 1847, in the debate on the Crime and Outrage Bill.—Hansard's Debates, Dec. 13, 1847.

"the county of Lancashire as an example, and you "will see something of the consequences of a large "influx of the Irish population into that district. "In Liverpool and Manchester, and in all the "belt of towns which surround Manchester, there is "a large Irish population. In fact, there is an "Irish quarter in each of these towns. It is true, "a great number of these persons are steady, re- "spectable, and industrious, but it is notorious that "a large portion of them are the directly opposite "of all this. They bring to this country all the "vices which have prevailed so much in Ireland; "their influence on the people of Lancashire is "often of the most unfavourable character, and "the effect of their example on the native popu- "lation must necessarily be injurious."[1]

"But there be no better labourers than the poor "commons of Ireland, nor sooner will be brought "to good frame, if they be kept under good law," wrote Baron Finglas, some three hundred and fifty years ago. The Irish emigrant, whether in the New World or the old one, has fully vindicated this assertion; and, in spite of such misgivings, Great Britain is indebted for much of her present wealth

[1] Mr. J. Bright, August, 1848.—Hansard's Parl. Debates.

and prosperity to Irish toil and industry.[1] But it would be contrary to those rules of nature which guide the fate of nations, as well as of individuals, if centuries of misgovernment did not leave deep traces which reacted on the children of those who had caused it. The Irish emigrants of 1847-48, unlike English emigrants who look back with pride to the land of their forefathers, carried with them the bitterest feelings against the English Government. That much of this feeling arose from the utter ignorance of the Irish people must be candidly admitted. It was impossible to convince them of the hard dry truths of political economy that, though a land may be able to support six millions of people, it does not follow that it can maintain eight millions; and that agriculture alone cannot afford the same amount of labour as is to be found in countries where, in addition to agriculture, they are rich in minerals and manufactures. The Irish would persist in believing that this exodus of 1848 was but another outrage on the part of England. Those who came to England soon learnt to know better, but those who went to America had this

[1] By the returns of the last census, it appears that whilst in Ireland there were but 50,000 inhabitants of English and Scotch birth, there were then in England and Scotland 800,000 of Irish birth.

feeling excited to the utmost by the demagogues who had sought refuge there, and by the political adventurers of the United States who out of Irish misery have ever made political capital for their own benefit. During the Crimean War this ill-feeling displayed itself but too readily in a desire to assist Russia: for in every town throughout the United States where the Irish element prevailed, they drilled and met in caucus to urge the invasion of Ireland.[1] The recent warfare in America, and the ill-feeling caused by the supposition that Great Britain had in any way encouraged the conquered party, has also naturally given rise to some disturbances in Ireland. On the one hand, numbers of men whose habits of warfare had destroyed all desire for peaceful occupation were but too ready to engage in any expedition, however hazardous or lawless. On the other, many of the leading politicians of the United States were not sorry to see the English Government harassed, and at the same time get rid of a number of unmanageable discharged soldiery. Under the mythic name of Fenians, this ill-feeling on the part of a portion of the American Irish broke out in a raid into

[1] Parliamentary Papers relating to the recruiting in the United States, 1856.

Canada and a miserable attempt on Ireland. But the result was simply to show to the world the loyalty of our colonists, and how completely the great mass of the inhabitants of Ireland are changed owing to a wise administration and daily increasing wealth having replaced bad laws and their consequent misery.

The fearful typhus which once infested the whole nation has disappeared, a few harmless spots alone remaining to remind the physician that the healthy body he has now to watch was once sick unto death. That in future a nation like the United States of America, which numbers amongst its population millions who have sprung from amongst us, with whom we have daily and hourly communication, but living under totally different institutions, should influence the opinions of a small section of our fellow-countrymen can but be expected. It is for the rulers of this country so to guide its course that it may be benefited by having imported to it such of those transatlantic institutions as may be found to conduce to the happiness of the people at large, jealously preserving those which the experience of centuries has proved to be the faithful guardians of the liberties of the subjects of these realms.

It is said Ireland has still grievances; but what nation has not? It is said that in that country

the relations between landlord and tenant are unsatisfactory, and that there can be no peace whilst the Church of England maintains its position there as the Church of the State. It would be beyond the scope of this work to enter into the various controversies which have arisen respecting each of these points. As regards the first, the historian can only say that theory after theory has been propounded, and that Bill after Bill has been brought in by private members of the House of Commons, as well as by successive Governments, to endeavour to settle to the satisfaction of all parties a subject which no legislation can ever settle. Land is property. In civilized countries the rights of property are recognized; in uncivilized ones, they are always in jeopardy. Is there any reason why the rights of landowners in Ireland should differ from those of any other country? In Ulster farms are let on a different principle from those in the rest of Ireland. A custom has grown up in that district, by which an out-going tenant gets a certain compensation from the in-coming tenant, and the landlord, so long as he gets his rent, is generally indifferent as to who is his tenant, or as to the amount of compensation paid. This is a custom which appears to suit the inhabitants of Ulster.

In the other provinces, the landlords will not consent to such an arrangement; but, then, the inhabitants of the other provinces differ from those of Ulster. England has also its customs, and some of its most influential and best landlords give no leases. But in England, where that custom exists, the English farmer knows that, if he tills his land properly, and pays his rent regularly, his no lease is as good a holding as a long lease. Then, it is said, that it is a hardship that landlords should take to sheep-farming and give up tillage. But the Irish landlord, in many cases, has had no option. The Parliament of the United Kingdom has decided that there shall be free trade in corn. Many districts in Ireland cannot compete in the corn trade with America or Russia, but they can successfully compete with Spain or Holland in cattle or butter. This may be hard on the Irish agricultural labourer, but were it otherwise, it would be hard on the Irish townsman. The Parliament of the United Kingdom is bound to look to the interests of the great mass of the people which it represents, and individual interests in England, as well as in Ireland, must give way to the public good. Then, if is said, that some millions, raised by the taxation of the United Kingdom, should be lent to the smaller class of farmers

in Ireland, to enable them to purchase their holding, and thus become perfectly independent of any landlord. But will the people of England and of Scotland vote moneys for the purpose of forcing owners of property to part with that which is their own by every title which law can give in a civilized country? Since the passing of the Encumbered Estates Act, a sum of nearly forty millions has been invested in land in Ireland: would any portion of that have been so invested had it been suggested that within a few years property in Ireland was likely to be imperilled in the same manner as it had been centuries ago? But, supposing that such purchases could be effected, even with the voluntary agreement on the part of the landlord, how could that be said to be a settlement of the grievances of the people of Ireland? Without taking into account the extreme difficulty of ascertaining the security which men of no means, anxious to purchase small farms, could give for a loan of public money, and supposing that such a difficulty were surmounted, what would become again of the small tenant farmer in Ireland within very few years? Some would have parted with their farms, some would have subdivided them amongst their children, some would have died without chil-

dren, and the law would have divided it between their next of kin; and before another generation had arisen, that same ever-recurring feature would again present itself, of some men being possessed of considerable property for their station in life, and of others being paupers.

Then, will the sacrifice of the Established Church in Ireland benefit the people of that country? The Roman Church will not accept of any of its revenues. In that case, what benefit will accrue to the Irish people by confiscating any portion of it? Some have said, apply its surplus revenues towards the education of all classes and creeds without distinction. But hitherto it has never been shown that the Established Church has a larger revenue than is necessary to maintain a church proportional to the necessities of those who belong to it. And here a question arises. What is the revenue of the Roman Catholic Church in Ireland? And until this is known, it is impossible to form an opinion as to what should be the proper revenue of the Established Church.[1] Others have said,

[1] The amount raised by the Roman Catholic Church in Ireland must be considerable. "The priest has often 200*l.* a year, and his curate "100*l.* In some places the Catholic rector has 500*l.* a year."—A Letter to the Rt. Hon. Chichester Fortescue, M.P., &c., by John Earl Russell, 1868.

abolish the Church, and divide its revenues amongst the poor of Ireland, to whom it formerly belonged. In the first place, its revenues were never so devoted, and never did so belong; in the second, it would simply be depriving one set of poor for the benefit of another, for whatever may have been the faults of the Established Church of Ireland in former days, it must be admitted that at the present day that Church stands as high as any other for learning, for performing its spiritual duties, and for spending its revenues amongst those from whom they are derived. But then, it is said, the very fact of there being an Established Church in Ireland, which represents the minority of the people of that country, is a heartburning to the great majority of its inhabitants. But Ireland is not a separate country, on the contrary, by the Act of Union the Established Church of Ireland became incorporated with the Established Church of England, in the same manner as the people of Ireland, Roman Catholics as well as Protestants of all denominations, became incorporated with the people of England and Scotland as citizens of one common empire. To abolish the Established Church in Ireland is simply to repeal the Act of Union, for it is there laid down clearly and distinctly that it be the

fifth Article of the Union, that the Churches of England and Ireland, as now by law established, be united into one Protestant Episcopal Church, to be called the United Church of England and Ireland; and that the doctrine, worship, discipline, and government of the said United Church shall be, and shall remain in full force for ever, as the same are now by law established for the Church of England; and that the continuance and preservation of the said United Church as the Established Church of England and Ireland *shall be deemed and taken to be an essential and fundamental part of the Union*; and that in the like manner the doctrine, worship, discipline, and government of the Church of Scotland shall remain and be preserved as the same are now established by law, and by the Acts for the union of the two kingdoms of England and Scotland.[1]

It was clearly and distinctly agreed to by the Roman Catholics of Ireland, clergy as well as laity, when Catholic Emancipation was granted, that that Article should remain unaltered.[2] The Roman

[1] 39 & 40 Geo. III. c. 67.

[2] Speeches of the Right Hon. H. Grattan, vol. iv., p. 391. Petition of the Roman Catholics of Ireland, for Relief from Disabilities. Commons' Journal, 28th April, 1817. "That they have declared, "disavowed, and solemnly abjured any intention to subvert the present "Church Establishment, for the purpose of *substituting* a Catholic "Establishment in its stead; and they have solemnly sworn that they

Catholics throughout the British empire possess the utmost freedom of worship. The mass of the people of that empire consider that the Church as by law established should be the State Church. The destruction of the State Church in Ireland cannot take place, therefore, without the destruction of the State Church in England; but would its destruction tend to promote the real happiness of the people of Ireland? In England Roman Catholics, Wesleyans, Independents, Baptists, Quakers, are free, and every path in life is as open to them as those who are brought up in the doctrines of the Church of England. Is there any difference in that portion of the empire called Ireland?

What, then, is the solution of the problem for remedying the evils of which the people of Ireland complain? There is but one, and that is, Education. Education can alone teach man to be reconciled to his lot in life. It can alone teach Irishmen who complain of the legislation of England of bygone days, that a large proportion of them are not

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" will not exercise any privilege to which they are or may become " entitled, to disturb and weaken the Protestant Religion or Protestant " Government in Ireland."

the descendants of the old Irish septs, but of those very English who passed those laws, and that dreaming of the past is but a vain waste of time. Education can alone bring it home to the descendants of the original native tribes, wherever they may be, that the great cause of their final destruction was their total inability to recognize the great law of nature, viz., that man must "earn his living by the "sweat of his brow." Whilst every other nation in Europe was steadily progressing in the march of civilization, the native Irish alone continued living in the barbarous ways of their forefathers, and utterly useless to their fellow-creatures. Whilst learning was disseminating itself throughout every college in Christendom; whilst the arts reached to a pitch unequalled even at the present day; whilst mighty cities were growing up in all directions; when even Venice and Genoa were at the height of their power; where the O'Neil and the O'Donel ruled, there wood and bog ruled supreme. Then education alone can teach the descendants of the Anglo-Irish that if they have had their troubles in bygone years, so has every other race and sect. Ireland presented a pitiable sight in the XIV. and XV. centuries, but it was spared the fearful wars which devastated France and the Civil Wars of the

Roses. It suffered severely under Elizabeth, but so did Holland under Philip II. Penal laws against its Roman Catholic inhabitants disgraced the XVII. and XVIII. centuries; so did those against Protestants throughout the Continent. The Rebellion of 1798 was a painful epoch, but what was it to what other nations had to go through in consequence of the French Revolution? And, if Providence visited the whole country with a painful famine in 1846, had He not also opened to them the portals of the New World, and with that vast continent a new life?

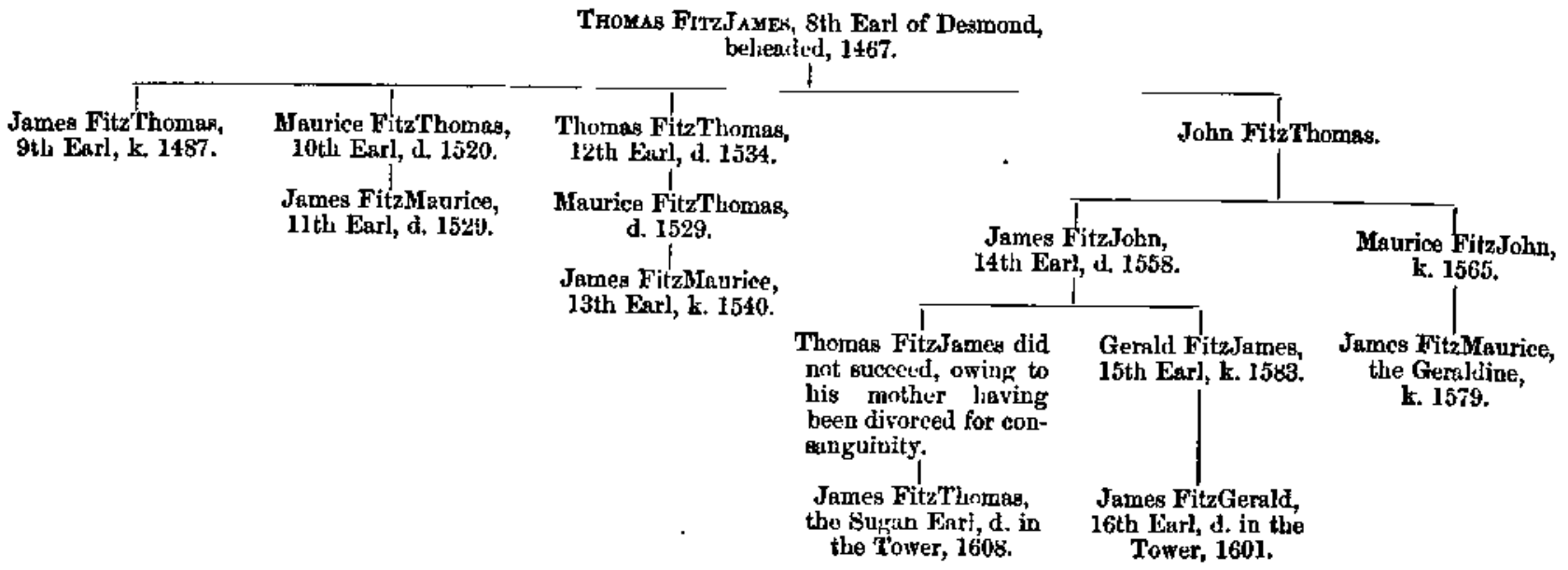
"The Irish in America," writes one who knows and thoroughly appreciates their better qualities, "are steadily rising, steadily advancing, steadily "improving in circumstances and position, and, as "a rule, they have enormously benefited their "condition by having left the old country for the "new. In every walk and department of life they "are making their mark. As merchants, bankers, "manufacturers, as lawyers, physicians, engineers, "architects, inventors, as literary men, as men "of science, as artists, as scholars, as teachers "of youth, as soldiers, as wise in council, and "terrible in battle, as statesmen, as yet more the "sons of Irishmen than Irish born."[1]

[1] The Irish in America, by J. F. Maguire, M.P., p. 350.

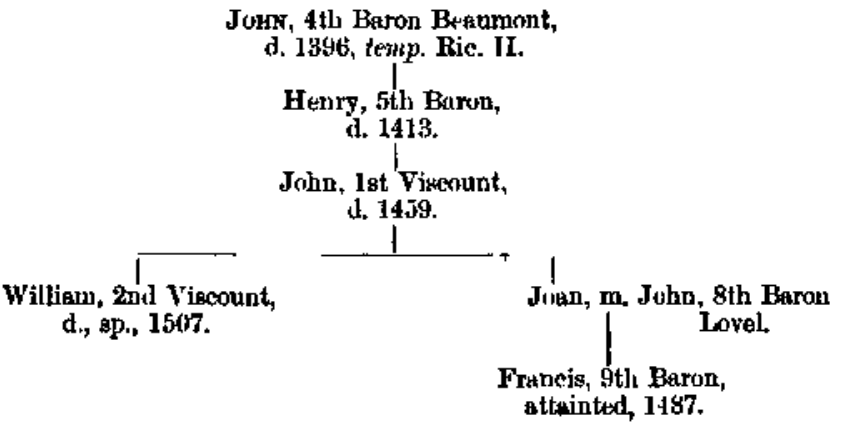
Is it a fact that these are the people who are striving to sow disaffection throughout Ireland, and to create a weak and unsupported republic in the north-western corner of Europe? Are they anxious to exchange bright skies, and, as far as human foresight can see, the brilliant future of centuries for their posterity, for a soil which in the nineteenth century can only as in the twelfth "afford "sustenance to but a few?" Common sense contradicts at once such a supposition. Ireland cannot be separated again from England. The contest between the two countries can no longer be one of race, but of emulation in commerce and civilization; and as year by year their railways and steamboats connect still more intimately their more remote districts, so will that Union be the more closely cemented.

# APPENDIX.

# APPENDIX C.


Thomas FitzJames, 8th Earl of Desmond, beheaded, 1467.
James FitzThomas, 9th Earl, k. 1487.
Maurice FitzThomas, 10th Earl, d. 1520.
James FitzMaurice, 11th Earl, d. 1529.
Thomas FitzThomas, 12th Earl, d. 1534.
Maurice FitzThomas, d. 1529.
James FitzMaurice, 13th Earl, k. 1540.
John FitzThomas.
James FitzJohn, 14th Earl, d. 1558.
Thomas FitzJames did not succeed, owing to his mother having been divorced for consanguinity.
James FitzThomas, the Sugan Earl, d. in the Tower, 1608.
Gerald FitzJames, 15th Earl, k. 1583.
James FitzGerald, 16th Earl, d. in the Tower, 1601.
Maurice FitzJohn, k. 1565.
James FitzMaurice, the Geraldine, k. 1579.

# APPENDIX D.


John, 4th Baron Beaumont,
d. 1396, *temp.* Ric. II.
Henry, 5th Baron,
d. 1413.
John, 1st Viscount,
d. 1459.
William, 2nd Viscount,
d., sp., 1507.
Joan, m. John, 8th Baron
Lovel.
Francis, 9th Baron,
attainted, 1487.

## APPENDIX E.

THERE is considerable misapprehension existing in the minds of many people in Ireland with reference to the amount of Church lands which in that country were transferred to the Established Church as it at present exists. In former days the most wealthy portions of Church patronage belonged principally to English monasteries. In Wexford alone, we find, from 28 H. VIII. c. 3, Irish Statutes, that lands were possessed there by the abbeys of Furnis, the Augustines of Bristow, Christchurch of Canterbury, Lanthony, Cartmell, Kentesham, Osney, and Bath. When the monastic lands were forfeited, they were, in the same manner as in England, divided amongst laymen. The king himself seized Bective, St. Peter's near Trim, Duske, Duleek, Holmepatrick, Baltinglas, Tinterne, Fernes, &c. Under James I. not only monastic lands, but rectories and vicarages, were showered on laymen. For instance—

16 J. I.—To Edward Butler of the Low Grange, Kilkenny county, the late Abbey of Douske, with the site and buildings, a churchyard, close, &c. . . with all the estates of the abbey.—To William Crowe, the site of the house of Friars Carmelites of Ardee, &c.

15 J. I.—To Francis Edgeworth the rectory of Clonaghles in Kildare, the rectory of Smermore in Meath, &c. To Sir Charles Willmott the monastery of Baltinglas. To Francis Crofton part of the estate of the monastery of Nennan in Roscommon. To Sir James Carroll the priory of Dorham, the rectory, church, and vicarage of Tullagh

and Kilbride in Roscommon, &c. To Sir Arthur Savage part of the estate of Jerpoint Abbey in Kilkenny; part of the estate of St. John the Baptist in Tipperary; the friary and church of Kilconnell, &c. To Lord Cromwell the monastery of St. Patrick of Down, &c. To John Bathe the tithes of the rectory of Finnagh in Idrone, &c.

14 J. I.—To Sir William Ware, in Waterford county, the rectories of Kilkee and Rathmolan "be they one or more "or united or not, with their manses, lands, tithes," &c. To Sir Patrick Barnewall, the rectory of Clane, &c., in Kildare.

13 J. I.—To Sir John Kinge, the rectories, tithes, and glebes of Derpatrick, the Graunge, &c., in Meath. To Sir Gerald Aylmer, the rectory of the Church of Rathmollian in Meath, with all the tithes, &c.

8 J. I.—To the Earl of Clanrickard the rectories, churches, or chapels, advowsons, tithes, &c., of Killerenata, Chrieh, Killane, &c., &c.

3 J. I.—To Donogh, Earl of Thomond, the rectory and church of St. Nicolas in Waterford, &c.

Those not worth having were left to the Church, and often had to be united in groups to make worth the while of a vicar. Thus—

6 J. I.—Presentation of Barnard O'Flanagan to Sronill, Clonpett, Corringine, and Cairellie, vic. in Emly dioc., in the gift of the crown, "jure devoluto," or by any other means, and united for this turn only, on account of the smallness of their incomes and their mutual proximity.

Presentation of Philip O'Heirke, notwithstanding his minority, and defect of clerical orders to a prebendary and three vicarages for the same reason, &c.

The consequence of which was the Church had to be endowed with confiscated lay lands. Thus—

13 J. I.—The Bishop of Derry had the manors of Clonleigh in Donegal, Magheryeagh in Derry, Aghlowe in Londonderry, Ardsragh in Tyrone. 12 J. I.—The Archbishop of Armagh had the manors of Nobber and Killmoone in Meath, of Termonfeiken in Louth, the lordship of Armagh, and territory of Clynawly, &c., the manor of Inishkeene in Monaghan, of Donough More, in Down, &c. 8 J. I.—The Bishop of Down, Connor, and Dromore, the manor of Dromore. 11 J. I.—The see of Lismore and Waterford was so impoverished that the bishop was presented with the vicarage of Mothell.[1]

[1] Pat. Rolls, Ireland, James I.

## APPENDIX F.

### Protest of the Irish Bishops, Oct. 1867.

"The Archbishops and Bishops of Ireland, seeing that "the Government and Parliament are preparing to deal by "law with the Irish Protestant Church Establishment, "deem it their duty to declare—

"1. That the Irish Protestant Church Establishment is "maintained chiefly—almost exclusively—by property and "revenues unjustly alienated from the rightful owner, the "Catholic Church of Ireland; that Irish Catholics cannot "cease to feel as a gross *injustice* and as an abiding insult "the continued, even partial, maintenance of that esta- "blishment out of that endowment, or in any other way at "their expense—an establishment to which, as to their "fountain head, are to be traced the waters of bitterness "which poison the relations of life in Ireland and estrange "from one another Protestants and Catholics, who ought "to be an united people.

"2. That notwithstanding the rightful claim of the "Catholic Church in Ireland to have restored to it "the property and revenue of which it was unjustly deprived, "the Irish Catholic Bishops hereby reaffirm the subjoined "resolutions of the Bishops assembled in the years 1833, "1841, and 1843; and, adhering to the letter and spirit "of those resolutions, distinctly declare that they will not "accept endowment from the State out of the property and "revenues now held by the Protestant Establishment, nor "any State endowment whatever.

"The following are the resolutions referred to:—

"Resolved—'That, alarmed at the report that an attempt "is likely to be made, during the approaching Session of "Parliament, to make a State provision for the Roman "Catholic clergy, we deem it an imperative duty not to "separate without recording the expression of our strongest "reprobation of any attempt, and of our unalterable deter- "mination to resist, by every means in our power, a "measure so fraught with mischief to the independence "and purity of the Catholic religion in Ireland.'—Resolu- "tion of the Irish Bishops in 1837.

"Resolved—'That his Grace the Most Rev. Dr. Murray "be requested to call a Special General Meeting of the "prelates of all Ireland, in case that he shall have clear "proof, or well-grounded apprehension, that the odious "and alarming scheme of a State provision for the Catholic "clergy of the portion of the empire be contemplated by "the Government, before the next general meeting.'— "Resolutions of the Irish Bishops in 1841.

"Resolved—'That the preceding resolutions be now re- "published, in order to make known to our faithful clergy "and people, and to all others concerned, that our firm "determination on this *subject* remains unchanged; and "that we unanimously pledge ourselves to resist by every "influence we possess, every attempt that may be made to "make any State provision for the Catholic clergy in "whatever it may be offered.'—Resolution moved by the "Most Rev. Dr. Murray, seconded by the Most Rev. "Dr. Slattery, and unanimously adopted at a meeting of "the Prelates of Ireland, in Dublin, on the 15th of Nov., "1833, the Most Rev. Dr. M'Hale in the chair.

"3. That in thus declaring their determination to keep "the Church of Ireland free and independent of State

" control or interference, the Bishops of Ireland are happily " in accord with instructions received from the Holy See " in the years 1801 and 1805, as well as with the course " pursued by the Irish Bishops of that day in conformity " with those instructions.

" When a project for the endowment of the Catholic " clergy by the British Government was proposed at the " end of the last century, Pope Pius VII. gave the follow- " ing instructions to the Irish Bishops, through the Secre- " tary of Propaganda :—

" 'The Holy Father most earnestly desires that the Irish " clergy, continuing to pursue the *praiseworthy* line of " conduct hitherto followed by them, shall scrupulously " abstain from seeking for themselves any temporal advan- " tages; and that while by word and deed they express " their unvarying attachment, gratitude, and submission " to the British Government, and give still more sensible " proof of their gratitude for these fresh favours offered " to them, they shall nevertheless decline to accept them, " and thereby give a bright example of that constant dis- " interestedness which so becomes the apostolic zeal of the " ministers of the sanctuary, and which confers so much " advantage and honour on the Catholic religion, by " winning for its ministers, in a remarkable degree, that " esteem and respect which render them more worthy of " the reverence and love of the faithful committed to their " spiritual charge.

" 'These are precisely the sentiments which our Holy " Father has commanded *the* Secretary of Propaganda to " communicate to you, Rev. Father, that through you they " may be conveyed without delay to the excellent Metro- " politans and Bishops of the kingdom of Ireland.'

"The same sentiments are repeated, and at much "greater length, in another letter from the secretary of "Propaganda, dated 25th September, 1805.

"4. That the Bishops are confident that the Catholics "of Ireland will receive with joy this repudiation of a "State endowment for the Irish Church, and that they will "never cease to give, without any legal compulsion, the "support which they have hitherto freely and dutifully "accorded to their clergy and religious institutions.

"5. That by appropriating the ecclesiastical property of "Ireland for the benefit of the poor, the Legislature would "realize one of the purposes for which it was originally "destined, and to which it was applied in Catholic time."

## APPENDIX G.

RESOLUTIONS OF THE ROMAN CATHOLIC PRELATES, ASSEMBLED IN DUBLIN, THE 17TH, 18TH, AND 19TH JANUARY, 1799.

AT a Meeting of the Roman Catholic Prelates, held in Dublin the 17th, 18th, and 19th of January, 1799, to deliberate on a Proposal, from Government, of an independent provision for the Roman Catholic Clergy of Ireland, under certain regulations not incompatible with their doctrines, discipline, or just influence,—

It was admitted, "That a provision through Government "for the Roman Catholic Clergy of this Kingdom, com- "petent and secured, ought to be thankfully accepted.

"That in the appointment of the Prelates of the Roman "Catholic Religion to vacant Sees within the Kingdom, "such interference of Government, as may enable it to be "satisfied of the loyalty of the person appointed, is just, "and ought to be agreed to.

"That to give this principle its full operation, without "infringing the discipline of the Roman Catholic Church, "or diminishing the religious influence which Prelates of "that Church ought justly to possess over their respective "flocks, the following Regulations seem necessary:—

"1. In the vacancy of a See, the Clergy of the Diocese

" to recommend, as usual, a Candidate to the Prelates of " the Ecclesiastical Province, who elect him, or any other " they may think more worthy, by a majority of suffrages; " in the case of equality of suffrages, the Metropolitan or " senior Prelate to have the casting vote.

" 2. In the election of a Metropolitan, if the provincial " Prelates do not agree within two months after the " vacancy, the senior Prelate shall forthwith invite the " surviving Metropolitans to the election, in which each " will then have a vote; in the equality of suffrages, the " presiding Metropolitan to have a casting vote.

" 3. In these elections the majority of suffrages must be *ultra medietatem*, as the Canons require, or must consist " of the suffrages of more than half the electors.

" 4. The Candidates so selected to be presented by the " President of the election to Government, which, within " one month after such presentation, will transmit the " name of the said Candidate, if no objection be made " against him, for appointment to the Holy See, or return " the said name to the President of the election, for such " transmission as may be agreed on.

" 5. If Government have any proper objection against " such Candidate, the President of the election will be informed thereof within one month after presentation, who " in that case will convene the electors to the election of " another Candidate.

" Agreeably to the discipline of the Roman Catholic " Church, these Regulations can have no effect without " the sanction of the Holy See; which sanction the Roman " Catholic Prelates of this Kingdom shall, as soon as may " be, use their endeavours to procure. The Prelates are " satisfied that the nomination of Parish Priests, with a

"Certificate of their having taken the Oath of Allegiance, "be certified to Government.

(Signed) "RICHARD O'REILLY.
"J. S. TROY.
"EDWARD DILLON.
"THOMAS BRAY.
"P. J. PLUNKETT.
"J. MOYLAN.
"DANIEL DELANY.
"EDMUND FRENCH.
"JAMES CAULFIELD.
"JOHN CRUISE."

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RESOLUTIONS OF THE ROMAN CATHOLIC PRELATES, ASSEMBLED IN DUBLIN, ON THE 28TH JANUARY, 1799.

The Prelates assembled to deliberate on a Proposal from Government, of a provision for the Clergy, have agreed,— "That M. R. Doctor O'Reilly, M. R. Doctor Troy, R. R. "Doctor Plunkett, and such other of the Prelates who "may be in town, be commissioned to transact all business "with Government relative to said Proposal, under the "substance of the Regulations agreed on and subscribed "by them.

(Signed) "EDWARD DILLON.
"THOMAS BRAY.
"J. MOYLAN.
"DAN. DELANY.
"EDMUND FRENCH.
"JAMES CAULFIELD.
"JOHN CRUISE.

"DUBLIN, 28th *January*, 1799."[1]

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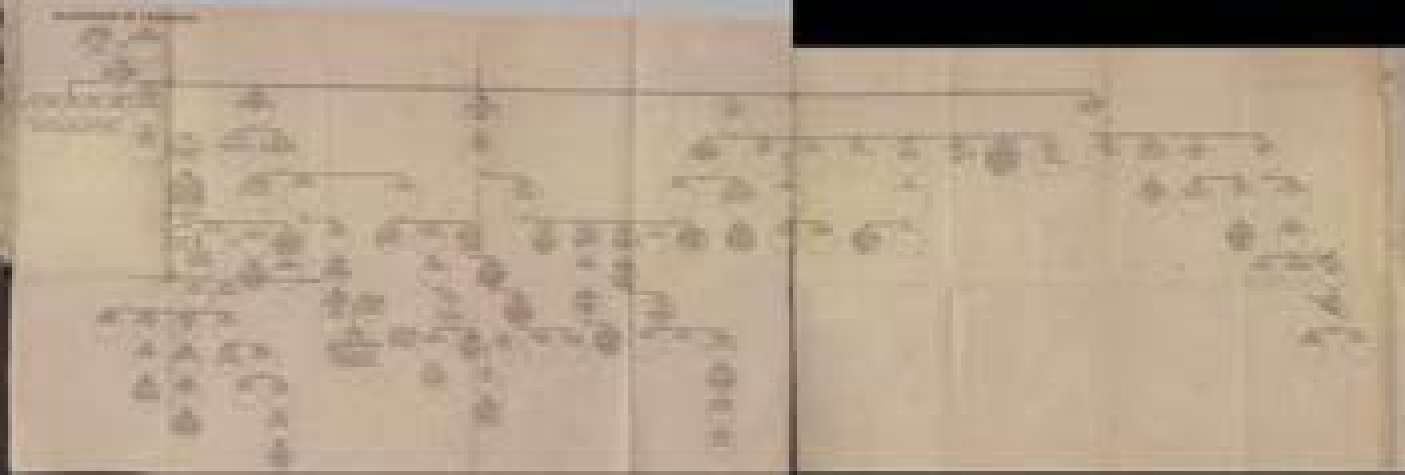
[1] Parl. Papers, 1814, 15. Vol. xiii. p. 15.

LONDON: PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET AND CHARING CROSS.



zed with financial assistance fro
Government of Maharashtra
on 18 July, 2018